

## AGENDA

Eau Claire County Board of Supervisors  
**Tuesday, June 18, 2019 / 7 pm**  
Courthouse, County Boardroom (Room 1277)  
721 Oxford Ave. Eau Claire, WI

**\*\*6:30-7:00pm Meet & Greet with Criminal Justice Collaborating Council & Emergency Management in 1301/1302\*\***

### Eau Claire County Mission Statement:

"To provide quality, innovative and cost-effective services that safeguard and enhance the well-being of residents and resources"

- (1) Indicates 1<sup>st</sup> Reading
- (2) Indicates 2<sup>nd</sup> Reading

1. Call to Order
2. Honoring of the Flag and Moment of Reflection by: Supervisor Melissa Janssen
3. Call of the Roll
4. Approval of the Journal of Proceedings (May 21, 2019)
5. **PUBLIC COMMENT**
6. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

### **Oral Reports**

- County Administrator Updates
  - Legislative Update
  - DHS Process Improvement Update
- DHS Update from Diane Cable - Director
- Jail Population Report (Part 1)
- Moratorium Final Report

### **Written Reports**

- Contingency Report
- Vouchers over \$10,000

7. **PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

- Rezoning request from Thomas & Cara Rathbun
- Rezoning request from Gerald & Linda Kollross Trust
- Rezoning request from Southside EC Properties, LLC.
- Communication from the Town of Fairchild
- Communication from the Village of Fairchild

8. **FIRST READING OF ORDINANCES BY COMMITTEES**

9. **FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS**

10. **REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES**

**Committee on Administration**

**File No.**

19-20/021 (1)

Resolution – Creating a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans

19-20/022 (1)

Resolution – Supporting Federal Medicaid Expansion

19-20/027 (1)

Resolution – Support of naming the Park to be Developed in the Forest Street Greenway as the Veterans Tribute Park [the Committee on Administration will meet prior to the County Board meeting to review this resolution]

**File No.**

19/20-019 (2)

**Committee on Human Resources**

Ordinance – Amending Section 3.15.030 B. & C. of the Code: Position and Full Time Equivalency (FTE) Establishment

**File No.**

19-20/005 (2)

**Planning & Development**

Amending the 1982 Official Zoning District Boundary Map for the Town of Union

**File No.**

19-20/017 (1)

**Parks & Forest Committee**

Resolution – Supporting the Continuation of the Knowles-Nelson Stewardship Program

**Finance & Budget Committee**

**File No.**

19-20/023 (1)

Resolution – Authorizing a Contingency Fund Transfer for Department of Human Services Program Review

19-20/012 (2)

Ordinance – To Amend Section 4.35.165 B. of the Code: Land Conservation Fees; to Repeal and Recreate Chapter 17.04 of the Code (Amendment also included)

**11. APPOINTMENTS**

Reappointment for Board of Land Use Appeals **(Memo Included)**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
OF SUPERVISORS**

**Tuesday, May 21, 2019**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, May 21, 2019, and was called to order by Chair Nick Smiar at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.  
Moment of reflection was presented by Supervisor Colleen Bates.

Roll Call: 24 present: Supervisors Gary G. Gibson, Sandra McKinney, Joe Knight, Stella Pagonis, Carl Anton, Bert Moritz, Steve Chilson, Kevin Stelljes, Nancy Coffey, Ray L. Henning, Colleen A. Bates, Connie Russell, Judy Gatlin, Nick Smiar, Lydia Boerboom, Martha Nieman, James A. Dunning, Gerald L. Wilkie, Nathan Anderson, Sue Miller, Robin J. Leary, Heather DeLuka, Tami Schraufnagel, Kimberly A. Cronk  
5 absent: Supervisors Donald Mowry, Mark Beckfield, Melissa Janssen, Brandon Buchanan, Patrick L. LaVelle

**JOURNAL OF PROCEEDINGS (May 7, 2019)**

On a motion by Supervisor Miller, seconded by Supervisor McKinney, the Journal of Proceedings was approved via voice vote.

**PUBLIC COMMENT**

The following individuals spoke:  
Lance Basting: Impound ordinance revision  
Jeremy Gragert: Eau Claire County bicycle-pedestrian plan

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

The following oral reports were presented:  
-Nine scholarship awards were presented by Josie LaLiberty, Co-chair of the Eau Claire County Scholarship Committee  
-Bicycle and Pedestrian Presentation by Planning & Development Director Rod Eslinger, Senior Planner Matt Michels, and Ann Schell, Sr. Planner for West Central Wisconsin Regional Planning Commission  
-1<sup>st</sup> Quarter Financial Report by Finance Director Norb Kirk

The following written reports were presented to the board:  
-Contingency Fund Report as of May 13, 2019  
-April 2019 Payments over \$10,000

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

The County Clerk read a proclamation proclaiming Wednesday, June 19, 2019, as Juneteenth Day in the City of Eau Claire. Motion by Supervisor Leary, seconded by Supervisor Boerboom, for approval. The proclamation was approved via voice vote.

A report regarding a rezoning request in the Town of Pleasant Valley was received from the Virginia Anklam Estate.

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Committee on Human Resources**

**Ordinance 19-20/019** AMENDING SECTION 3.15.030 B. & C. OF THE CODE: POSITION AND FULL-TIME EQUIVALENCY (FTE) ESTABLISHMENT

Action on said ordinance was referred to a future meeting of the county board.



**Committee on Planning and Development**

**Ordinance 19-20/012** TO AMEND SECTION 4.35.165 B. OF THE CODE: LAND CONSERVATION FEES; TO REPEAL AND RECREATE CHAPTER 17.04 OF THE CODE

On a motion by Supervisor Pagonis, seconded by Supervisor Wilkie, said ordinance was referred to the Finance & Budget committee on a unanimous roll call vote.

**REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER  
2.04.160 AND SECOND READING OF ORDINANCES**

**Committee on Administration**

**Ordinance 19-20/008** TO AMEND SECTION 10.20.005 A. OF THE CODE: DEFINITIONS; TO AMEND SECTION 10.20.010 A. 1. AND 3. OF THE CODE: ABANDONMENT PROHIBITED—IMPOUNDMENT AUTHORIZED; TO AMEND SECTION 10.20.010 B. OF THE CODE: ABANDONMENT PROHIBITED—IMPOUNDMENT AUTHORIZED; TO REPEAL SECTION 10.20.015 OF THE CODE: COUNTY VEHICLE POUND; TO AMEND SECTION 10.20.030 B. OF THE CODE: IMPOUNDMENT AND STORAGE CHARGES; TO AMEND SECTION 10.20.035 OF THE CODE: DISPOSITION OF ABANDONED VEHICLES

Motion by Supervisor Chilson, seconded by Supervisor Henning, for enactment.

On a motion by Supervisor Coffey, seconded by Supervisor Chilson, the ordinance was referred to the Committee on Administration on a unanimous roll call vote.

**Resolution 19-20/014** REQUESTING RESOLUTIONS TO BE CONSIDERED AT THE 2019 WCA ANNUAL BUSINESS MEETING

On a motion by Supervisor Bates, seconded by Supervisor Nieman, the resolution was unanimously adopted via roll call vote.

**Committee on Finance & Budget**

**Resolution 19-20/016** AUTHORIZING CARRYFORWARD OF FUNDS FROM 2018 BUDGET INTO 2019 BUDGET

On a motion by Supervisor Pagonis, seconded by Supervisor Boerboom, the resolution was unanimously adopted via roll call vote.

**Resolution 19-20/013** AUTHORIZING PARTICIPATION IN THE LOCAL GOVERNMENT INVESTMENT POOL AND DESIGNATING THE “LOCAL OFFICIAL(S)”

On a motion by Supervisor Dunning, seconded by Supervisor Wilkie, the resolution was unanimously adopted via roll call vote.

**Committee on Human Resources**

**Resolution 19-20/015** AUTHORIZING ADDITION OF ONE (1.0) FTE PRE-TRIAL SCREENING SPECIALIST

Motion by Supervisor Miller, seconded by Supervisor Schraufnagel, for adoption.

On a motion by Supervisor Wilkie, seconded by Supervisor Leary, Amendment No. 1 was offered as follows: On page 1, line 16, at the end of the line before the period, insert “, contingent upon the award of a grant by the Department of Justice to cover the full cost of the position”

Amendment No. 1 was unanimously adopted via roll call vote.

The resolution, as amended once, was unanimously adopted via roll call vote.

**Ordinance 19-20/002** TO REPEAL SECTION 3.10.030 OF THE CODE: AFFIRMATIVE ACTION PLAN ADOPTED BY REFERENCE

Motion by Supervisor Anderson, seconded by Supervisor Bates, for enactment.  
On a roll call vote, the ordinance was unanimously enacted.

**Committee on Planning and Development**

**Ordinance 19-20/009** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF WASHINGTON

Motion by Supervisor Anderson, seconded by Supervisor Henning, for enactment.

There were no objections to allowing Senior Planner Matt Michaels to speak.

On a roll call vote, the ordinance was enacted as follows:

23 ayes: Supervisors Gibson, McKinney, Knight, Pagonis, Anton, Chilson, Stelljes, Coffey, Henning, Bates, Russell, Gatlin, Smiar, Boerboom, Nieman, Dunning, Wilkie, Anderson, Miller, Leary, DeLuka, Schraufnagel, Cronk

1 no: Supervisor Moritz

5 absent: Supervisors Mowry, Beckfield, Janssen, Buchanan, LaVelle

**Committee on Planning & Development and Highway Committee**

**Resolution 18-19/111** APPROVING A BICYCLE-PEDESTRIAN PLAN FOR EAU CLAIRE COUNTY

Motion by Supervisor Coffey, seconded by Supervisor Schraufnagel, for adoption.

Supervisor Anton moved to postpone action on this resolution indefinitely; this motion died due to lack of a second.

On a roll call vote, the resolution was adopted as follows:

20 ayes: Supervisors Gibson, McKinney, Knight, Pagonis, Moritz, Stelljes, Coffey, Bates, Russell, Gatlin, Smiar, Boerboom, Nieman, Dunning, Anderson, Miller, Leary, DeLuka, Schraufnagel, Cronk

4 noes: Supervisors Anton, Chilson, Henning, Wilkie

5 absent: Supervisors Mowry, Beckfield, Janssen, Buchanan, LaVelle

**APPOINTMENTS**

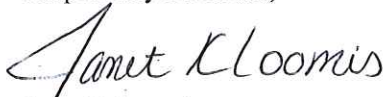
CONFIRMING CITIZEN APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COUNCILS BY CHAIR NICK SMIAR

Motion by Supervisor Bates, seconded by Supervisor Miller, for approval.

On a roll call vote, the appointments were unanimously approved.

The Board adjourned at 9:49 p.m.

Respectfully submitted,



Janet K. Loomis  
County Clerk

**TO:** Honorable Eau Claire County Board of Supervisors  
**FROM:** Finance Department  
**DATE:** June 12, 2019  
**SUBJECT:** 2019 Contingency Fund

Pursuant to Section 4.04 of the County Code of General Ordinances, the following is the status of the 2019 Contingency Fund as of June 12, 2019:

January 1, 2019	2019 Contingency Fund / Budget Allocation	\$300,000
April 16, 2019	Resolution 19-20/003: Resolution to Establish Goals of 100% Renewable Energy and Carbon Neutrality by the Year 2050 for Eau Claire County and to Amend the Budget to Move \$10,000 from Contingency for Initial Planning.	10,000
Balance Available		<u><u>\$290,000</u></u>

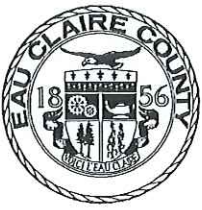


**TO:** Honorable Eau Claire County Board of Supervisors  
**FROM:** Finance Department  
**DATE:** June 12, 2019  
**SUBJECT:** May 2019 Payments over \$10,000

Pursuant to Section 4.06.060 of the County Code of General Ordinances, the following are the details for expenditures and payments of \$10,000 or more issued during May 2019.

Vendor	Description	Amount
WEA Insurance Corporation	EE Health Ins Prem Jun-2019	523,101.33
Department of Employee Trust Funds	April 2019 WRS Contributions	325,606.16
City of Eau Claire Treasurer	May Monthly Payment	143,120.83
Eau Claire City County Health Department	May Monthly Payment	101,183.33
Aul Health Benefit Trust	PTO/ELB Payouts & Unused Deductibles	98,265.59
Menards	FA Release-Sw-01-16	83,188.00
Aul Health Benefit Trust	PTO/ELB Payouts & Unused Deductibles	61,596.63
Correct Care Solutions LLC	Billbacks 1/1-3/31/198	61,428.69
Lutheran Social Services Inc	May Services_Ctc	52,000.00
Xcel Energy	Courthouse/Jail Electric	45,077.54
Aramark Services Inc	4/3-24/19 Inmate Meals	33,497.90
Aul Health Benefit Trust	PTO/ELB Payouts & Unused Deductibles	31,424.10
Delta Dental Plan of Wisconsin Inc	Delta Vision May-2019	27,002.70
Dunn County Administration	April 2019 Contracted Services	25,065.83
Kiesler Police Supply Inc	Colt 5.5mm M4 Conversion Kit.	24,360.00
Nationwide Retirement Solutions Inc	457(B) EE Contributions - 5/10/19 PR	24,059.34
Nationwide Retirement Solutions Inc	457(B) EE Contributions - 5/24/19 PR	23,959.34
Custom Manufacturing Inc	Snowmobile Bridges	23,950.00
Standard Insurance Company	Ee Dis/Acc/Ci Premiums Apr-2019	21,630.38
Avidia Bank	HSA EE Contributions - 5/10/19 PR	21,426.09
Avidia Bank	HSA EE Contributions - 5/24/19 PR	21,276.09
Verizon Wireless	April Phone Charges	20,429.46
Belco Vehicle Solutions LLC	Changeover To 2019 Ford SUV	13,580.81
Us Bank Voyager Fleet Systems	Apr-2019 Fuel Costs	11,819.79
Bartingale Mechanical Inc	2019 Annual Contract For HVAC PM	11,492.41
J & F Facility Services Inc	2019 Annual Contract For Janitorial Services	11,318.00
Employee Benefits Corporation	May 2019 Flex Deductions & Admin Fees	11,312.72
Try Inc	May Monthly Payment	11,134.92
Bartingale Mechanical Inc	2019 Annual Contract For HVAC PM	11,029.91
	<b>Total Fund: General</b>	<b>1,874,337.89</b>
County of Dunn	Dec 2018 IM Consortia Payment	166,584.00
County of Douglas	Dec 2018 IM Consortia	157,862.00
Brotoloc Inc	Contracted Services	140,472.03
County of Pierce	Dec 2018 IM Consortia Payment	140,274.00
County of St Croix	December 2018 IM Consortia Payment	120,132.00
Trempealeau County	Contracted Services	113,559.74
County of Barron	Dec 2018 IM Consortia	98,196.00
Trempealeau County	Contracted Services	89,203.84
County of Chippewa	Dec 2018 IM Consortia	79,904.00
Northwest Passage Ltd	Contracted Services	68,548.80
Lutheran Social Services Inc	Contracted Services	57,917.42
Northwest Counsel & Guidance Clinic Inc	Crisis Calls Out/Service (1171) - April	54,765.19
Brotoloc Inc	Contracted Services	54,632.06
Dungarvin Wisconsin LLC	Contracted Services	54,501.60
Brotoloc Inc	Contracted Services	54,350.22
Chileda Institute Inc	Contracted Services	50,101.20
Lutheran Social Services	Contracted Services	48,388.22
Caillier Clinic Inc	Contracted Services	46,268.99
Eau Claire City County Health Department	Payment	43,022.33
Lutheran Social Services	Contracted Services	41,732.72
County of Polk Dept of Human Services	Dec 2018 IM Consortia Payment	40,664.00
Synergy Group of Eau Claire S.C.	Contracted Services	30,815.71
Mayo Clinic	April Services	27,870.30
Brotoloc Inc	Contracted Services	26,340.13
Rawhide Inc	Contracted Services	25,413.80
Washburn County	Dec 2018 IM Consortia Payment	24,757.00
Lutheran Social Services	Contracted Services	24,557.97
Cooperative Educational Service Agency	Ed/Interant Teaching - April	22,720.39

Arbor Place Inc	Contracted Services	18,597.00
Lutheran Social Services	Contracted Services	18,157.32
County of Burnett	Dec 2018 IM Consortia	17,944.00
Lutheran Social Services	Contracted Services	16,959.30
Family Innovations Inc	Contracted Services	16,338.16
New Hope Hallie Inc	Contracted Services	16,080.00
Mille Lacs Academy	Contracted Services	15,934.50
Youth Villages, Inc.	Contracted Services	15,000.00
Career Development Center	Contracted Services	14,925.20
Oconomowoc Development Training Center	Contracted Services	14,092.20
Habilitation Center	Contracted Services	13,950.00
Trinity Equestrian Center	Contracted Services	13,919.61
Mchs - Eau Claire - Luther Campus	Contracted Services	12,632.92
Gerard Academy	Contracted Services	12,614.10
Trinity Equestrian Center	Contracted Services	12,178.27
Prevea Western	Contracted Services	11,901.72
Clinicare Corporation	Contracted Services	11,652.60
Trinity Equestrian Center	Contracted Services	11,551.19
Julie L O'Brien	Contracted Services	11,136.00
Garlick'S Cbrf Inc	Contracted Services	10,455.00
Western Dairyland Economic Opport. Inc	Energy Assistance - April	10,133.02
Tomorrow'S Children	Contracted Services	10,020.00
	<b>Total Fund: DHS</b>	<u>2,209,727.77</u>
Rain To Rivers of Western WI Inc	Final Tranfer of Funds	75,133.80
	<b>Total Fund: Watershed</b>	<u>75,133.80</u>
Advanced Disposal	Curbside Apr 19	43,475.61
Boxx Sanitation LLC	Boxx Apr 19	28,985.34
Waste Management Northern WI - MN	Waste Apr 19	12,346.48
	<b>Total Fund: Recycling</b>	<u>84,807.43</u>
City of Eau Claire Treasurer	Mar 2019 Paratransit Services	13,342.45
	<b>Total Fund: Adrc</b>	<u>13,342.45</u>
Od Security North America	Balance Due On Body Scanner	83,125.00
Nels Gunderson Chevrolet	2019 Chev Silverado	29,990.50
Toycen Ford Inc	2019 Ford F150	28,463.50
West Central Wisconsin Regional	Bike Pedestrian Plan	25,129.93
Viking Electric Supply Inc	Jail Led Lighting	15,370.85
	<b>Total Fund: Capital Projects</b>	<u>182,079.78</u>
Skidata, Inc	Annual Service Agreement For Parking System	10,902.00
Xcel Energy	Term Electric - April	10,025.80
	<b>Total Fund: Airport</b>	<u>20,927.80</u>
Monarch Paving Company	Cth V Overlay 2.18 Miles	47,803.48
Farm Plan	Lease Payment Jd Grader #311	47,016.38
Van Ert Electric Company Inc	Intersection USH 12 & CTH EE	32,649.12
Scott Construction Inc	Chips 1/4 GN	29,813.48
Highway Construction Products LLC	Guardrail Repair	27,706.04
Team Laboratory Chemical Corp	Base One (3) 275 Gal Totes	20,364.50
Fahrner Asphalt Sealers LLC	Restripe Work Zone & Passing Zone Layout	13,278.56
	<b>Total Fund: Highway</b>	<u>218,631.56</u>
County of Dunn	Feb 2019 IM Consortia Payment	200,066.00
County of St Croix	Feb 2019 IM Consortia Payment	157,686.00
County of Douglas	Feb 2019 IM Consortia Payment	96,893.00
County of Polk Dept of Human Services	Feb 2019 IM Consortia Payment	87,188.00
County of Chippewa	Feb 2019 IM Consortia Payment	82,992.00
County of Burnett	Feb 2019 IM Consortia Payment	72,213.00
Washburn County	Feb 2019 IM Consortia Payment	24,077.00
	<b>TOTAL FUND: Trust And Agency</b>	<u>721,115.00</u>
	<b>GRAND TOTAL</b>	<u>\$ 5,400,103.48</u>



Eau Claire County  
DEPARTMENT OF PLANNING  
AND DEVELOPMENT  
Eau Claire County Courthouse - Room 3344  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703-5212  
(715) 839-4741

Building Inspection  
839-2944  
Emergency Management  
839-4736  
Geographical Information Systems  
839-4730  
Land Conservation  
839-6226  
Land Records  
839-4742  
Land Use Management  
839-4743  
Planning  
839-5055  
Recycling  
839-2756

June 5, 2019

RECEIVED

JUN 06 2019

COUNTY CLERK

## Report to the Eau Claire County Board of Supervisors

The Eau Claire County Department of Planning and Development has received the following application for rezoning:

**Owner:** Thomas & Cara Rathbun

**Applicant:** John F Kappus

**File Number:** 19-20/24

**Legal Description:** NW-NE of Section 7, Township 26 North, Range 10 West, Town of Brunswick.

Commencing at the NE corner of Section 7, thence S 88° 00' 50" W along the north line of the NE ¼, 1332.37 feet to the point of beginning, thence S 0° 07' 45" W along the east line of the NW ¼ of the NE ¼, 989.09 feet, thence N 46° 32' 00" W 193.25 feet, thence N 0° 07' 45" E 584.98 feet, thence N 88° 00' 50" E along the north line of the NW 1/4, 322.51 feet to the point of beginning.

**Site Address:** W7301 State Road 85, Eau Claire county

**Date Received:** 6/4/2019

Regards,

Cheryl Cramer  
Administrative Specialist, Planning and Development





Eau Claire County  
DEPARTMENT OF PLANNING  
AND DEVELOPMENT  
Eau Claire County Courthouse - Room 3344  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703-5212  
(715) 839-4741

Building Inspection  
839-2944  
Emergency Management  
839-4736  
Geographical Information Systems  
839-4730  
Land Conservation  
839-6226  
Land Records  
839-4742  
Land Use Management  
839-4743  
Planning  
839-5055  
Recycling  
839-2756

June 11, 2019

RECEIVED

JUN 11 2019

COUNTY CLERK

## Report to the Eau Claire County Board of Supervisors

The Eau Claire County Department of Planning and Development has received the following application for rezoning:

**Owner:** Gerald & Linda Kollross Trust

**Applicant:** Real Land Surveying

**File Number:** . 19-20/25

**Legal Description:** Lot 4

Certified Survey Map #2963

Volume 16 of CSM

Pages 356-357

**Site Address:** 6480 Whitetail Drive, Eau Claire, Wisconsin

**Date Received:** 6/10/2019

Regards,

A handwritten signature in cursive script, appearing to read "Samuel Simmons".

Samuel Simmons

Administrative Specialist, Planning and Development

DEPARTMENT OF PLANNING  
AND DEVELOPMENT  
Eau Claire County Courthouse - Room 3344  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703-5212  
(715) 839-4741

Emergency Management  
839-4736  
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Land Use Management  
839-4743  
Planning  
839-5055  
Recycling  
839-2756

RECEIVED

JUN 12 2019

COUNTY CLERK

June 12, 2019

Report to the Eau Claire County Board of Supervisors

The Eau Claire County Department of Planning and Development has received the following application for rezoning:

**Owner:** Southside EC Properties LLC

**Applicant:** Real Land Surveying

**File Number:** 19-20/026

**Legal Description:** PARCEL "A" C-3 ZONING

BEING PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ AND THE NORTHEAST ¼ OF THE NORTHWEST ¼, SECTION 14, TOWNSHIP 26 NORTH RANGE 9 WEST, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 14,  
THENCE S00°02'06"E ALONG THE EAST LINE OF SAID NORTHWEST ¼ A DISTANCE OF 932.20 FEET;  
THENCE S88°37'26"W 522.30 FEET;  
THENCE N00°45'01"W 899.35 FEET;  
THENCE S88°35'50"W 504.88 FEET TO THE POINT OF BEGINNING;  
THENCE S01°22'34"E 74.03 FEET  
THENCE S72°18'25"W 245.00 FEET;  
THENCE S29°15'49"W 101.38 FEET;  
THENCE S71°25'07"W 261.73 FEET;  
THENCE S31°59'52"W 117.73 FEET;  
THENCE S16°58'02"E 163.47 FEET;  
THENCE S68°25'39"W 163.62 FEET;  
THENCE S15°34'10"W 97.63 FEET;  
THENCE S55°55'53"W 315.02 FEET;  
THENCE S74°01'59"W 116.13 FEET;  
THENCE N89°21'22"W 124.47 FEET;  
THENCE N47°20'50"W 65.18 FEET;  
THENCE N76°08'14"W 158.62 FEET;  
THENCE 534.93 FEET ALONG CURVE CONCAVE WESTERLY, RADIUS OF 4707.70 FEET; CENTRAL ANGLE OF 6°30'38", CHORD N12°43'58"W 534.65 FEET;  
THENCE N88°32'51"E 248.78 FEET;  
THENCE N00°28'34"E 284.95 FEET;  
THENCE S83°00'02"E 43.19 FEET;  
THENCE S81°28'31"E 227.28 FEET;  
THENCE 223.57 FEET ALONG THE ARC OF A CURVE CONCAVE NORTH, RADIUS OF 785.83 FEET; CENTRAL ANGLE OF 16°18'02" CHORD S89°52'27"E 222.81 FEET;  
THENCE N77°41'31"E 239.81 FEET;  
THENCE N85°58'40"E 307.21 FEET;  
THENCE N00°13'07"E 3.41 FEET;  
THENCE N88°35'50"E 256.94 FEET TO THE POINT OF BEGINNING.



PARCEL "B" R1-L ZONING

BEING PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼, THE NORTHEAST ¼ OF THE NORTHWEST ¼, THE SOUTHWEST OF THE NORTHWEST, SECTION 14, TOWNSHIP 26 NORTH RANGE 9 WEST, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 14,

THENCE S00°02'06"E ALONG THE EAST LINE OF SAID NORTHWEST ¼ A DISTANCE OF 932.20 FEET TO THE POINT OF BEGINNING;

THENCE S88°37'26"W 522.30 FEET;

THENCE N00°45'01"W 899.35 FEET;

THENCE S88°35'50"W 504.88 FEET;

THENCE S01°22'34"E 74.03 FEET

THENCE S72°18'25"W 245.00 FEET;

THENCE S29°15'49"W 101.38 FEET;

THENCE S71°25'07"W 261.73 FET;

THENCE S31°59'52"W 117.73 FEET;

THENCE S16°58'02"E 163.47 FEET;

THENCE S68°25'39"W 163.62 FEET;

THENCE S15°34'10"W 97.63 FEET;

THENCE S55°55'53"W 315.02 FEET;

THENCE S74°01'59"W 116.13 FEET;

THENCE N89°21'22"W 124.47 FEET;

THENCE N47°20'50"W 65.18 FEET;

THENCE N76°08'14"W 158.62 FEET;

THENCE 441.40 FEET ALONG THE ARC OF A CURVE CONCAVE WESTERLY, RADIUS OF 4707.70 FEET; CENTRAL ANGLE OF 5°22'19", CHORD S06°47'29"E 441.23 FEET;

THENCE S2°46'11"E 219.49 FEET;

THENCE S30°51'48"E 178.39 FEET;

THENCE S2°00'10"W 208.65 FEET;

THENCE S72°46'49"E 22.79 FEET;

THENCE S00°25'30"W 182.31 FEET;

THENCE N87°27'22"W 100.44 FEET;

THENCE S31°18'39"W 15.07 FEET;

THENCE S3°52'42"W 16.80 FEET;

THENCE N89°34'05"E 296.71 FEET;

THENCE S00°44'08"W 178.38 FEET;

THENCE S72°48'05"E 484.39 FEET;

THENCE S83°23'25"E 342.16 FEET;

THENCE N00°13'07"E 1175.42 FEET

THENCE N89°06'29"E 1300.75 FEET;

THENCE N00°02'06"W 377.56 FEET TO THE POINT OF BEGINNING.

**Site Address:** Located South and East of the intersection of State Road 93 and County Road II, Town of Washington, Eau Claire County, Wisconsin.

**Date Received:** 6/11/2019

Regards



Cheryl Cramer

Administrative Specialist, Planning and Development

# TOWN OF FAIRCHILD

---

E29266 Tioga Road

Fairchild, WI 54741

(715-334-5797)

[townfair@centurylink.net](mailto:townfair@centurylink.net)

RECEIVED

JUN 07 2019

COUNTY CLERK

---

June 4, 2019

Dear Ms. Loomis:

The Town of Fairchild wishes to remain exempt from the Eau Claire County Library System for the year 2019-2020.

If you have any questions, please call me at 715-334-5797.

This is our yearly notification to you.

Thank you.

Sincerely,



Rozanne Traczek

Clerk, Town of Fairchild

# VILLAGE OF FAIRCHILD

---

331 Oak Street, P.O. Box 150

Fairchild, WI 54741

RECEIVED

JUN 07 2019

COUNTY CLERK

.....  
June 4, 2019

Dear Ms. Loomis:

The Village of Fairchild wishes to remain exempt from the Eau Claire County Library System for the year 2019-2020.

If you have any questions, please call me at 715-334-5797.

This is our yearly notification to you.

Thank you.

Sincerely,



Clerk, Village of Fairchild

FACT SHEET

TO FILE NO. 19-20/021

Eau Claire County received a copy of a recent Buffalo County resolution requesting that the State of Wisconsin create a non-partisan redistricting process following the decennial federal census. The resolution was sent to all 72 counties for consideration. Attached is the resolution, adapted for Eau Claire County for consideration.

Fiscal Impact: None.

Respectfully Submitted,



Timothy J. Sullivan  
Corporation Counsel

TS/yk

Ordinance/19-20.021 Fact



2  
3 CREATING A NONPARTISAN PROCEDURE FOR THE PREPARATION OF LEGISLATIVE AND  
4 CONGRESSIONAL REDISTRICTING PLANS  
5

6 WHEREAS, currently under the state constitution, the legislature is directed to  
7 redistrict legislative districts according to the number of residents at its next session  
8 following the decennial federal census by the majority party; and at the same intervals, the  
9 legislature also reapportions congressional districts pursuant to federal law; and

10  
11 WHEREAS, legislative and congressional redistricting plans enacted pursuant to  
12 this procedure are used to elect members of the legislature and members of Congress  
13 starting in the fall of the second year following the year of the census; and

14  
15 WHEREAS, historically legislative and congressional plans in Wisconsin have been  
16 subject to partisan influence that puts the goals of politicians ahead of the electoral  
17 prerogative of the people; and

18  
19 WHEREAS, the 2011 redistricting process to draw the maps, and subsequent  
20 litigation contesting those maps, cost the taxpayers of the State of Wisconsin nearly \$1.9  
21 million; and

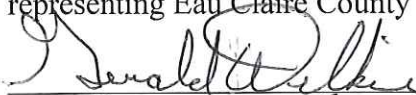
22  
23 WHEREAS, a panel of federal district court judges has ruled that the redistricting  
24 that was done in Wisconsin in 2011 was unconstitutional; and

25  
26 WHEREAS, redistricting to achieve partisan gains is improper, whether it is done  
27 by Republicans or Democrats.

28  
29 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of  
30 Supervisors insists upon the creation of a nonpartisan procedure for the preparation of  
31 legislative and congressional redistricting plans.

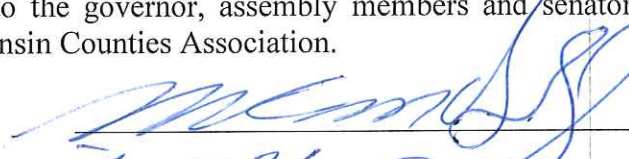
32  
33 BE IT FURTHER RESOLVED that a nonpartisan procedure process promotes  
34 accountability, transparency and prohibits the consideration of voting patterns, party  
35 information and incumbent's residence information or demographic information in  
36 drawing the district maps, except as necessary to ensure minority participation as required  
37 by the U.S. Constitution.

38  
39 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs  
40 the county clerk to forward this resolution to the governor, assembly members and senators  
41 representing Eau Claire County and the Wisconsin Counties Association.

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50  
Committee on Administration

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

TS/yk  
Dated this 11 day of JUNE, 2019.

Reviewed by Finance Dept.  
for Fiscal Impact

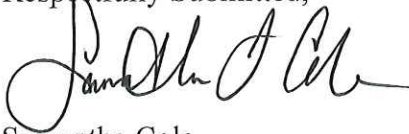
**FACT SHEET**  
**RESOLUTION SUPPORTING FEDERAL MEDICAID EXPANSION**

**TO FILE NO. 19-20/022**

The attached resolution supports the Federal Medicaid Expansion as approved by the Eau Claire City-County Board of Health. The cover sheet named “Governor Evers’ Budget – Supporting Eau Claire County” is attached.

Fiscal Impact: Expansion of Medicaid dollars would provide a funding source of services

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Samantha Cole". The signature is fluid and cursive, with the first name being the most prominent.

Samantha Cole  
County Administrator’s Office

Resolution/19-20/022 Fact Sheet

4 **-SUPPORTING FEDERAL MEDICAID EXPANSION**

5 **WHEREAS,** All people deserve the opportunity to live in a state that creates conditions for  
6 everyone to be healthy; and

7 **WHEREAS,** Public policy should strive toward the elimination of health disparities; and

8 **WHEREAS,** It is essential to provide healthcare coverage to the state's most vulnerable  
9 populations; and

10 **WHEREAS,** Accepting federal Medicaid expansion dollars will provide coverage to more than  
11 82,000 Wisconsin residents living between 100 and 138 of the federal poverty  
12 level and 1,396 Eau Claire County residents; and

13 **WHEREAS,** It is essential to also support investing in health programs including public health  
14 prevention opportunities that build a healthier Wisconsin; and

15 **WHEREAS,** Accepting federal Medicaid expansion dollars generates \$324.5 million in savings  
16 to the state and \$46 million in Eau Claire County, and;

17 **WHEREAS,** the \$324.5 million in generated saving could be invested back into health care  
18 programs including supporting healthy pregnancy/postpartum, lead poisoning  
19 reduction, dental care, tobacco cessation programs, and care coordination for  
20 social determinants of health; and

21 **WHEREAS,** health departments across Wisconsin believe the state has an exciting opportunity  
22 to invest in health-related programs and social determinants of health that will  
23 have a significant impact for Wisconsin citizens.

24 **NOW THEREFORE BE IT RESOLVED,**

25 That the Eau Claire County Board of Supervisors urges the state legislature to  
26 accept federal Medicaid expansion dollars made available by the Affordable Care  
27 Act. The County Clerk is directed to forward a copy of this resolution to the  
28 Legislature for the State of Wisconsin and the office of the Governor.

29 **Reviewed by Finance Dept.**  
30 **for Fiscal Impact**

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**APPROVED BY**  
**CORPORATION COUNSEL**  
**AS TO FORM**

*[Handwritten signature]*  
*[Handwritten signature]*  
*[Handwritten signature]*

Committee on Administration

Dated this 11 day of JUNE, 2019.  
RESOLUTION/19-20/022



**Eau Claire City-County Board of Health  
Resolution 19-02  
Resolution Supporting Federal Medicaid Expansion**

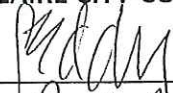
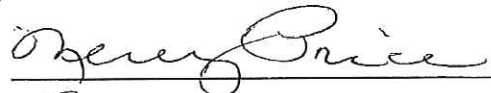






- 1 **WHEREAS,** All people deserve the opportunity to live in a state that creates  
2 conditions for everyone to be healthy; and  
3
- 4 **WHEREAS,** Public policy should strive toward the elimination of health disparities;  
5 and  
6
- 7 **WHEREAS,** It is essential to provide healthcare coverage to the state's most  
8 vulnerable populations; and  
9
- 10 **WHEREAS,** Accepting federal Medicaid expansion dollars will provide coverage to  
11 more than 82,000 Wisconsin residents living between 100 and 138 of the  
12 federal poverty level and 1,396 Eau Claire County residents; and  
13
- 14 **WHEREAS,** It is essential to also support investing in health programs including public  
15 health prevention opportunities that build a healthier Wisconsin; and  
16
- 17 **WHEREAS,** Accepting federal Medicaid expansion dollars generates \$324.5 million in  
18 savings to the state and \$46 million in Eau Claire County , and;  
19
- 20 **WHEREAS,** the \$324.5 million in generated saving could be invested back into health  
21 care programs including supporting healthy pregnancy/postpartum, lead  
22 poisoning reduction, dental care, tobacco cessation programs, and care  
23 coordination for social determinants of health; and  
24
- 25 **WHEREAS,** health departments across Wisconsin believe the state has an exciting  
26 opportunity to invest in health-related programs and social determinants  
27 of health that will have a significant impact for Wisconsin citizens.  
28

29 **NOW THEREFORE BE IT RESOLVED,**

30 That the Eau Claire City-County Board of Health urges the state  
31 legislature to accept federal Medicaid expansion dollars made available  
32 by the Affordable Care Act. Additionally, the Board of Health urges the  
33 Eau Claire County Board to support a similar resolution.

Approved by the Board of Health this 15<sup>th</sup> day of May, 2019

**EAU CLAIRE CITY-COUNTY BOARD OF HEALTH**

 _____	 _____
 _____	 _____
 _____	 _____
 _____	 _____

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM



# Governor Evers' Budget



*Better, more affordable care, covering more Wisconsinites*

## Supporting Eau Claire County

Medicaid expansion is the lever that Wisconsin pulls to infuse new federal dollars into the rest of our health care system, with the aim of improving the health and well-being of every citizen. Medicaid is a critical part of our health care system. In Wisconsin, 1.1 million residents rely on Medicaid for high-quality health care. The budget expands Medicaid to cover childless adults, parents, and caretakers with incomes up to 138% of the federal poverty level, which is about \$17,000 per year for a single person. This expansion will enable an estimated 82,000 additional individuals to access affordable health care.

Medicaid expansion will also allow the state to draw down new federal funds and save Wisconsin taxpayers \$324.5 million. The budget proposes to reinvest these savings into new initiatives to improve health care access and quality for all Eau Claire County residents, not just those enrolled in Medicaid. The expansion plus the new initiatives will enable us to draw down a total of \$1.6 billion in new federal funding. When we combine these new initiatives with all other investments for Department of Health Services programs—from both the state and federal government—the budget provides a total of \$2.6 billion in new funding. Of this, \$2.4 billion will be invested in Wisconsin communities, including \$46 million in Eau Claire County.

### \$46 million of new investments in Eau Claire County

- ◆ \$11.8 million Expanding Medicaid to an estimated 1,396 Eau Claire County residents
- ◆ \$757,000 Expanding access to behavioral health, including crisis intervention and telehealth services
- ◆ \$1 million Preventing childhood lead poisoning through lead abatement and supporting children with lead poisoning through the Birth to 3 Program
- ◆ \$765,000 Improving access to dental services by increasing payments to dental providers, including those who serve people with disabilities, and expanding the Seal-A-Smile program
- ◆ \$1.4 million Enhancing Medicaid benefits and services, including support for the new community health benefit and postpartum coverage for new mothers
- ◆ \$1.1 million Increasing funding for physicians
- ◆ \$13.6 million Increasing hospital funding
- ◆ \$1.7 million Increasing funding for providers in long-term care programs and services—including Family Care IRIS, and nursing homes—and boosting personal care worker wages
- ◆ \$13.8 million Increasing funding for current Medicaid, BadgerCare Plus, SeniorCare, and FoodShare Employment and Training program members, and permanently ending the waitlist to serve all eligible children in the Children's Long-Term Support Waiver Program
- ◆ \$101,000 Supporting DHS 24/7 direct care and treatment facilities
- ◆ \$92,000 Supporting the Mental Health Consultation program, conditional and supervised release, and the Dispatcher Assisted Cardiopulmonary Resuscitation program

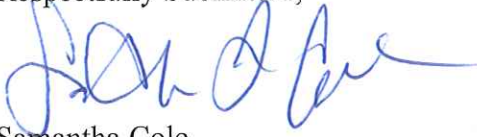
**FACT SHEET**

**TO FILE NO. 19-20/027**

The attached resolution expresses support in naming of the park that is to be developed in the Forest Street Greenway as the Veterans Tribute Park

**Fiscal Impact:** None

Respectfully Submitted,



Samantha Cole  
County Administrator's Office

Resolution/19-20/027 Fact Sheet

4  
5 **A RESOLUTION IN SUPPORT OF NAMING THE PARK TO BE DEVELOPED IN THE**  
6 **FOREST STREET GREENWAY AS THE VETERANS TRIBUTE PARK**

7  
8  
9 WHEREAS, The City of Eau Claire is developing a park in an area known as the Forest  
10 Street Greenway, an area located along the bank of the Chippewa River adjacent to Forest Street, and  
11 North of Madison Street; and,

12  
13 WHEREAS, Through the collaborative efforts of the Eau Claire County Veterans  
14 Foundation, the City of Eau Claire, the donations of private organizations and individuals, and the  
15 support of Eau Claire County as reflected in Resolution No. 18-19/079 plans have been made to  
16 develop a trail within the park known as the "Veterans Tribute Trail," part of which will be known as  
17 the Eau Claire County Veterans Honor Mall. The Honor Mall will include the Eau Claire County  
18 Logo predominantly displayed in the center of the courtyard. The Veterans Tribute Trail will  
19 provide an area to honor our veterans and to educate our youth and the community about our  
20 veterans; and,

21  
22 WHEREAS, it is appropriate that not only the trail but also the park be named in support of  
23 veterans, to honor and remember their service and sacrifice for Eau Claire County, the State of  
24 Wisconsin and the Country.

25  
26 NOW THEREFORE BE IT RESOLVED; The Eau Claire County Board of Supervisors  
27 supports naming the area currently known as the Forest Street Greenway to be developed as park  
28 along the shores of the Chippewa River adjacent to Forest Street and North of Madison Street in  
29 the City of Eau as the "Veterans Tribute Park."

30  
31 NOW BE FURTHER RESOLVED; the County Clerk is directed to forward a copy of this  
32 resolution to the Clerk for the City of Eau Claire for consideration by the City Council.

33  
34  
35 BE IT FURTHER RESOLVED,

36  
37  
38  
39 \_\_\_\_\_  
40 \_\_\_\_\_  
41 \_\_\_\_\_

42  
43  
44 \_\_\_\_\_  
45 Committee on Administration

46 TJS

47  
48 Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

**FACT SHEET  
TO FILE NO. 19-20/019**

Human Resources requested an update to the Employee Policy Manual to add the definition of Casual Employee. Casual Employee is defined as follows:

**Casual Employees.** Casual employees are not regularly scheduled and work on an on-call basis. Casual Employees are not eligible for regular employment benefits. At a minimum, casual employees must have worked hours on at least two occasions every six-months, but not more than 19 hours in a pay period.

With this policy update, Human Resources is requesting an update to Section 3.15.030; subsections B & C of the County Code to add reference to this new employment status.

Respectfully Submitted,



Jamie Gower  
Human Resources



4 - AMENDING SECTION 3.15.030 B. & C. OF THE CODE: POSITION AND FULL  
5 TIME EQUIVALENCY (FTE) ESTABLISHMENT -

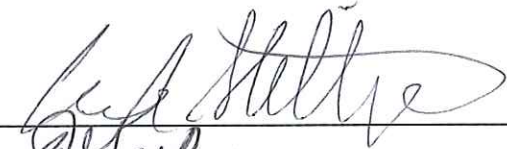
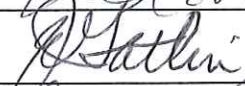
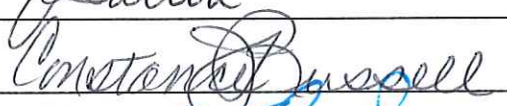

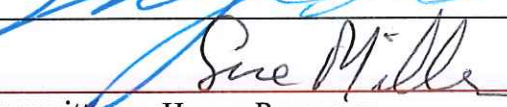
6  
7 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

8  
9 **SECTION 1.** That Subsections B & C. of Section 3.15.030 of the code be amended to  
10 read:

11  
12 B. Authorization for all temporary part-time, casual, and seasonal positions or changes  
13 therein shall be approved by the director, subject to departmental budgetary constraints.

14 C. Each full time equivalency within a position title shall be determined and designated  
15 as regular, temporary part-time, casual, or seasonal.

16  
17 **ADOPTED:**

18  
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20 \_\_\_\_\_  
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26 \_\_\_\_\_  
27   
28 \_\_\_\_\_  
29 Committee on Human Resources

30 SM/at

31  
32 Dated this 10<sup>th</sup> day of May, 2019.

33  
34  
35 ORDINANCE 19/20-019

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

Reviewed by Finance Dept.  
for Fiscal Impact

2  
3 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE  
4 TOWN OF - UNION  
5

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:  
7

8 **SECTION 1**

9 That the 1982 Official Zoning District Boundary Map for the Town of  
10 Union, described as follows:

11 Lot 2 A-2 Agriculture-Residential District to RH Rural Homes District  
12 Located in the Southeast ¼ of the Southwest ¼ and the Southwest ¼ of the  
13 Southeast ¼, Section 5, Township 27 North, Range 10 West, Town of  
14 Union, Eau Claire County, Wisconsin, being part of Lot 1 Certified  
15 Survey Map #1616, Volume 8 of Certified Survey Maps, Pages 342-343  
16 and being more particularly described as follows:

17 Beginning at the Southeast Corner of said Lot 1; thence S.88°37'23"W., a  
18 distance of 214.61 feet to the South ¼ Corner of Section 5; thence  
19 S.87°49'33"W., a distance of 106.12 feet; thence N.00°50'13"W., a  
20 distance of 184.16 feet; thence S.89°23'15"E., a distance of 308.39 feet;  
21 thence S.04°57'51"E., a distance of 172.31 feet to the point of beginning.  
22

23 Lot 3 A-2 Agriculture-Residential District to C-3 Highway Business  
24 District

25 Located in the Southeast ¼ of the Southwest ¼ Section 5, Township 27  
26 North, Range 10 West, Town of Union, Eau Claire County, Wisconsin,  
27 being part of Lot 1 Certified Survey Map #1616, Volume 8 of Certified  
28 Survey Maps, Pages 342-343 and being more particularly described as  
29 follows:

30 Beginning at the Southwest Corner of said Lot 1; thence N.00°50'13"W.,  
31 a distance of 488.51 feet to the Northwest Corner of said Lot 1; thence  
32 N.87°49'33"E., a distance of 409.77 feet to the Northeast Corner of said  
33 Lot 1; thence S.00°50'13"E., a distance of 307.66 feet; thence  
34 N.89°23'15"W., a distance of 67.99 feet; thence S.00°50'13"E., a distance  
35 of 184.16 feet; thence S.87°49'33"W., a distance of 341.77 feet to the  
36 point of beginning.  
37

38 **SECTION 2**

39 Where a Certified Survey Map is required and may alter the above  
40 described property description, the official zoning district map for the  
41 town shall be automatically amended to reflect the property description of  
42 the certified survey map.  
43

44 **ENACTED:**

45 I hereby certify that the foregoing correctly represents the  
46 action taken by the undersigned Committee on  
47 by a vote of 5 for, 0 against.

**Reviewed by Finance Dept.**

**for Fiscal Impact**

*Gary Gul*

Planning & Development Committee, Chairperson

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM





## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

---

**REZONE NUMBER:** RZN-0006-19                      **COMPUTER NUMBER:** 022101601010  
**PUBLIC HEARING DATE:** May 28, 2019

---

**STAFF CONTACT:** Matt Michels, AICP, Senior Planner  
**OWNER/AGENT:** Cory A Krenz, 604 Rusty Ct., Altoona, WI 54720  
**REQUEST:** Rezone 3.98 acres +/- of land from A-2 (Agricultural Residential) District to C-3 (Highway Business) to allow for semi-truck and trailer parking associated with a trucking business and rezone 1.75 acres +/- of land from A-2 to RH (Rural Homes) to divide the existing residence from the property.  
**LOCATION:** 8220 Partridge Rd.  
**LEGAL DESCRIPTION:** Lot 1 CSM 1616 (Vol 8, P342-343), in Section 5, T27N, R10W, Town of Union, Eau Claire County, Wisconsin

---

**RECOMMENDATION**                      Approval of request based on findings outlined on Pages 3 and 4 of this report

---

### BACKGROUND

#### SITE CHARACTERISTICS:

- There is an existing single-family residence on the east portion of the property
- The remainder of the property is undeveloped and appears to have been farmed in the past
- The property is generally flat

Existing Zoning: A-2 Agriculture-Residential District. The A-2 District is established to "A. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

#### REQUESTED ZONING DISTRICTS:

The petition is to rezone the property described above from the A-2 District to the C-3 Highway Business District and RH Rural Homes District.

The purpose of the C-3 District is to "provide an area for the development of those commercial activities that require large lots or attract concentrations of automobile traffic which make the uses incompatible with the predominantly retail uses in other commercial districts."

The purpose of the R-H District is to "provide for suburban large-lot development with individual on-site water and sewage disposal facilities." Minimum lot size in the RH District is one (1) acre.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-2	Single-family residence; undeveloped
North	C-3	Undeveloped
East	A-2	Single-family residences
South	A-2	Agricultural
West	C-3	Undeveloped

COMPREHENSIVE PLANS:

The Eau Claire County Future and Town of Union Land Use Maps both include the property in the Commercial Industrial (CI) planning area. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies.

**Eau Claire County:**

- Commercial Industrial Comprehensive Plan Intent and Description: The intent of this classification is to identify areas for a mix of commercial or industrial development that enhances the tax base, creates employment and provides needed goods and services to residents. The CI areas include land along major transportation corridors or near existing commercial or industrial development. At the time of original adoption of this Plan, this classification was only in use within the Town of Union; however, CI might be appropriate in other portions of the County, contingent upon County and local approval.
- Applicable Policies:
  1. The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
  2. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within CI areas: C-1 Neighborhood Business District, C-2 General Business District, C-3 Highway Business District, I-1 Non-sewered Industrial District, and the I-2 Sewered Industrial District

**Town of Union:**

- Commercial Industrial Comprehensive Plan Intent and Description: The Town of Union recognizes the importance of commercial and industrial development for enhancing its tax base, creating employment and providing needed goods and services to Town residents. Hence, commercial and industrial development is appropriate for areas designated for those uses, such as on major transportation corridors or near existing commercial or industrial development. This includes areas within the City of Eau Claire’s Extraterritorial Plat Review Jurisdiction Area. Urban sewer service is required for new commercial and industrial uses within the Urban Sewer Service Area if such service is available.

FARMLAND PRESERVATION PLAN:

The property is excluded from the Farmland Preservation Plan Map. The property owners are not eligible to claim farmland preservation tax credits on the property.



## ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

Town Board Action: The Union Town Board will consider this rezoning petition on April 16, 2019.

County staff has evaluated this rezoning petition for consistency with the purpose of the C-3 and RH Districts and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include uses similar to and consistent with those proposed, including highway business, single-family residential, and agriculture.
- Zoning in the area is predominantly C-3 (Highway Commercial) and A-2 (Agricultural-Residential)
- The property is planned for Commercial and Industrial uses and has good access to the Interstate 94/State Trunk Highway 312 interchange (approximately three-quarters of a mile east of the subject property).

## CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the C-3 and RH Districts

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence has been received, to date.

## RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the petition to rezone 3.98 acres +/- of land from A-2 (Agricultural Residential) District to C-3 (Highway Business) to allow for semi-truck and trailer parking associated with a trucking business and rezone 1.75 acres +/- of land from A-2 to RH (Rural Homes) to divide the existing residence from the property.

## FINDINGS

Findings in Favor:

1. The request is substantially consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan.

2. The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
3. Existing uses in the area include uses similar to and consistent with those proposed, including highway business and single-family residential.
4. Zoning in the area is predominantly C-3 (Highway Commercial and A-2 (Agricultural-Residential).
5. The property has good access to the Interstate 94/State Trunk Highway 312 interchange (approximately three-quarters of a mile east of the subject property).
6. The owner/applicant wishes to keep the house, which requires a rezoning to RH as the proposed lot is below 5 acres.
7. The majority of the property in the area north of Partridge Road is currently zoned C-3. The subject property and the property adjacent to the east are already essentially an "island" of A2 with C-3 to the west, north, and east.

Finding Against:

1. The proposed commercial use may be incompatible with the existing residential use and may have adverse impacts to the residents. However, the petitioner owns the existing home and will be required to address compatibility issues consistent with Zoning Ordinance requirements, such as screening and buffering.

Eau Claire County  
**PLANNING & DEVELOPMENT COMMITTEE AGENDA**  
Tuesday, May 28, 2019 • 7:00 p.m.  
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277  
Eau Claire, Wisconsin

1. Call to Order
2. Confirmation of Compliance with Open Meetings Law
3. Public Input Session (**15 minute maximum**)  
*Comments are restricted to matters within the Committee's jurisdiction, and items not pertaining to already scheduled public hearings. Comments will be limited to three minutes per individual.*
4. Public Hearings
  - a. **Proposed Ordinance: File No. 19-20/005** "Amending the 1982 Zoning District Boundary Map for the Town Union" (Krenz) / Discussion – Action
5. 2020 County Budget Timeline Review
6. Programs performance measures Discussion/Action
7. Review/Approval of May 14, 2019 P&D Meeting Minutes / Discussion – Action
8. Review/Approval of May 14, 2019 Joint Meeting of P&D Committee and LCC Meeting minutes  
Discussion/Action
9. Proposed Future Agenda Items / Discussion
  - a. Next scheduled meeting – June 11, 2019
10. Adjourn

Post: 5/22/2019

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710 (FAX) 839-1669 or (TDD) 839-4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703.





## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**REZONE NUMBER:** RZN-0006-19                      **COMPUTER NUMBER:** 022101601010

**PUBLIC HEARING DATE:** May 28, 2019

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**STAFF CONTACT:** Matt Michels, AICP, Senior Planner

**OWNER/AGENT:** Cory A Krenz, 604 Rusty Ct., Altoona, WI 54720

**REQUEST:** Rezone 3.98 acres +/- of land from A-2 (Agricultural Residential) District to C-3 (Highway Business) to allow for semi-truck and trailer parking associated with a trucking business and rezone 1.75 acres +/- of land from A-2 to RH (Rural Homes) to divide the existing residence from the property.

**LOCATION:** 8220 Partridge Rd.

**LEGAL DESCRIPTION:** Lot 1 CSM 1616 (Vol 8, P342-343), in Section 5, T27N, R10W, Town of Union, Eau Claire County, Wisconsin

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**RECOMMENDATION**                      Approval of request based on findings outlined on Pages 3 and 4 of this report

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### BACKGROUND

#### SITE CHARACTERISTICS:

- There is an existing single-family residence on the east portion of the property
- The remainder of the property is undeveloped and appears to have been farmed in the past
- The property is generally flat

Existing Zoning: A-2 Agriculture-Residential District. The A-2 District is established to "A. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

#### REQUESTED ZONING DISTRICTS:

The petition is to rezone the property described above from the A-2 District to the C-3 Highway Business District and RH Rural Homes District.

The purpose of the C-3 District is to "provide an area for the development of those commercial activities that require large lots or attract concentrations of automobile traffic which make the uses incompatible with the predominantly retail uses in other commercial districts."

The purpose of the R-H District is to "provide for suburban large-lot development with individual on-site water and sewage disposal facilities." Minimum lot size in the RH District is one (1) acre.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-2	Single-family residence; undeveloped
North	C-3	Undeveloped
East	A-2	Single-family residences
South	A-2	Agricultural
West	C-3	Undeveloped

COMPREHENSIVE PLANS:

The Eau Claire County Future and Town of Union Land Use Maps both include the property in the Commercial Industrial (CI) planning area. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies.

**Eau Claire County:**

- Commercial Industrial Comprehensive Plan Intent and Description: The intent of this classification is to identify areas for a mix of commercial or industrial development that enhances the tax base, creates employment and provides needed goods and services to residents. The CI areas include land along major transportation corridors or near existing commercial or industrial development. At the time of original adoption of this Plan, this classification was only in use within the Town of Union; however, CI might be appropriate in other portions of the County, contingent upon County and local approval.
- Applicable Policies:
  1. The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
  2. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within CI areas: C-1 Neighborhood Business District, C-2 General Business District, C-3 Highway Business District, I-1 Non-sewered Industrial District, and the I-2 Sewered Industrial District

**Town of Union:**

- Commercial Industrial Comprehensive Plan Intent and Description: The Town of Union recognizes the importance of commercial and industrial development for enhancing its tax base, creating employment and providing needed goods and services to Town residents. Hence, commercial and industrial development is appropriate for areas designated for those uses, such as on major transportation corridors or near existing commercial or industrial development. This includes areas within the City of Eau Claire’s Extraterritorial Plat Review Jurisdiction Area. Urban sewer service is required for new commercial and industrial uses within the Urban Sewer Service Area if such service is available.

FARMLAND PRESERVATION PLAN:

The property is excluded from the Farmland Preservation Plan Map. The property owners are not eligible to claim farmland preservation tax credits on the property.



## ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

Town Board Action: The Union Town Board will consider this rezoning petition on April 16, 2019.

County staff has evaluated this rezoning petition for consistency with the purpose of the C-3 and RH Districts and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include uses similar to and consistent with those proposed, including highway business, single-family residential, and agriculture.
- Zoning in the area is predominantly C-3 (Highway Commercial and A-2 (Agricultural-Residential))
- The property is planned for Commercial and Industrial uses and has good access to the Interstate 94/State Trunk Highway 312 interchange (approximately three-quarters of a mile east of the subject property).

## CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the C-3 and RH Districts

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence has been received, to date.

## RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the petition to rezone 3.98 acres +/- of land from A-2 (Agricultural Residential) District to C-3 (Highway Business) to allow for semi-truck and trailer parking associated with a trucking business and rezone 1.75 acres +/- of land from A-2 to RH (Rural Homes) to divide the existing residence from the property.

## FINDINGS

Findings in Favor:

1. The request is substantially consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan.

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5. The property has good access to the Interstate 94/State Trunk Highway 312 interchange (approximately three-quarters of a mile east of the subject property).
6. The owner/applicant wishes to keep the house, which requires a rezoning to RH as the proposed lot is below 5 acres.
7. The majority of the property in the area north of Partridge Road is currently zoned C-3. The subject property and the property adjacent to the east are already essentially an "island" of A2 with C-3 to the west, north, and east.

Finding Against:

1. The proposed commercial use may be incompatible with the existing residential use and may have adverse impacts to the residents. However, the petitioner owns the existing home and will be required to address compatibility issues consistent with Zoning Ordinance requirements, such as screening and buffering.

Eau Claire County  
 Department of Planning and Development  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

RECEIVED

MAR 11 2019

COUNTY CLERK

Sup. Dist 12: Colleen Bates

Application Accepted:	3/11/2019
Accepted By:	Matt Michels
Receipt Number:	59098
Town Hearing Date:	04/09/2019
Scheduled Hearing Date:	4/23/2019
Application No:	RZN-0006-19
Appl Status:	Pending

**Rezoning - County**

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A2**      Proposed Zoning District(s): **C3**      Acres to be Rezoned: **5.59**

Part Of The Se1/4 Sw1/4, Section 5, T27N, R10W, Town Of Union, Eau Claire County, Wi

<b>Owner/Applicant Name(s):</b>	<b>Address:</b>	<b>Telephone:</b>
Cory A Krenz	(ow) 604 RUSTY CT ALTOONA	
Ellen J Krenz	(ow) 604 RUSTY CT ALTOONA	

<b>Site Address(es):</b>	8220 PARTRIDGE RD EAU CLAIRE		
<b>Property Description:</b>	Sec 05 Twn 27 Rge 10	<b>Town of Union</b>	<b>Lot Area:</b> 5.590 ACRES

**Zoning District(s):** A2

<b>Overlay District:</b>	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Airport	<input type="checkbox"/> Wellhead Protection	<input type="checkbox"/> Non-Metallic Mining
Check Applicable					

<b>PIN</b>	<b>Alternate No</b>	<b>Parcel No</b>	<b>Legal (partial)</b>
1802222710053409000	022101601010	27.10.5.3-4-B 8	LOT 1 OF CSM V.8 PG.342 (#1616) LYG IN THE SE-SW CONT 4.7

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature \_\_\_\_\_ Date \_\_\_\_\_

Check if DATCAP must be notified \_\_\_\_\_ Check if DNR to Receive Copy \_\_\_\_\_

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.





**Eau Claire County**  
**Department of Planning and Development**  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

Application Accepted:	3/5/19
Accepted By:	MM
Receipt Number:	59099
Town Hearing Date:	T
Scheduled Hearing Date:	

## REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A2      Proposed Zoning District(s): C3 (4.31 acres) & RH (1.28 acre)  
 Acres to be rezoned: 5.59

Property Owner Name: Cory Krenz & Ellen Krenz      Phone#(715) 210-4112  
 Mailing Address: 604 Rusty Ct, Altoona, WI 54720  
 Email Address: corykrenzu@hotmail.com

RECEIVED

Agent Name:      Phone#      MAR 11 2019  
 Mailing Address:      COUNTY CLERK  
 Email Address:

### SITE INFORMATION

Site Address: 8220 Partridge Rd, Eau Claire, WI 54703  
 Property Description: See attached 1/4 Sec. 05, T27, N, R10, W, Town of Union  
 Zoning District:      Code Section(s):  
 Overlay District:       Shoreland       Floodplain       Airport       Wellhead Protection       Non-Metallic Mining  
 Check Applicable  
 Computer #(s):      022      101      601      010

### GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- |  |  |
|--|--|
| <input type="checkbox"/> Complete attached information sheet                 | <input type="checkbox"/> Contact the Town to coordinate a recommendation on the application  |
| <input type="checkbox"/> Provide legal description of property to be rezoned | <input type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee) |

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature *Ellen Krenz* *Cory Krenz*

Date 3/5/19

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

## REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

### Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
  - Describe the reason for the request
  - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
  - Explain and justify why this particular property is under consideration for rezoning
    - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
    - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
    - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.



**SUPPLEMENTAL INFORMATION FOR A REZONING PETITION**

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

Existing house at 8220 Partridge Rd is currently a rental. Remaining land would be used for semi-truck and trailer parking. Spoke with the highway department about our plans. They had no issues with us putting in a driveway and said that there isn't any road bans on "heavy vehicles."

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

Existing house at 8220 Partridge Rd was recommended to be zoned RH which requires a minimum one acre lot (not including right-of-way). Attached map shows the proposed one acre (1.28 acres with right-of-way). This property is currently a rental but may be sold to the current tenant in the future. So this portion of land will remain a single-family residence for the foreseeable future.

The remaining 3.98 acres (4.31 acres with right-of-way) Eau Claire County future land use shows that this area would be best used for C-3 commercial. Which is what I'm proposing for the remainder of this property. Most of the land to the north of Cty Hwy EE is already zoned C-3 commercial so this property would align with the use of neighboring lots.



Rezoning petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

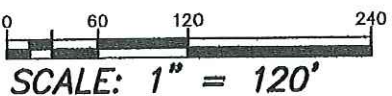
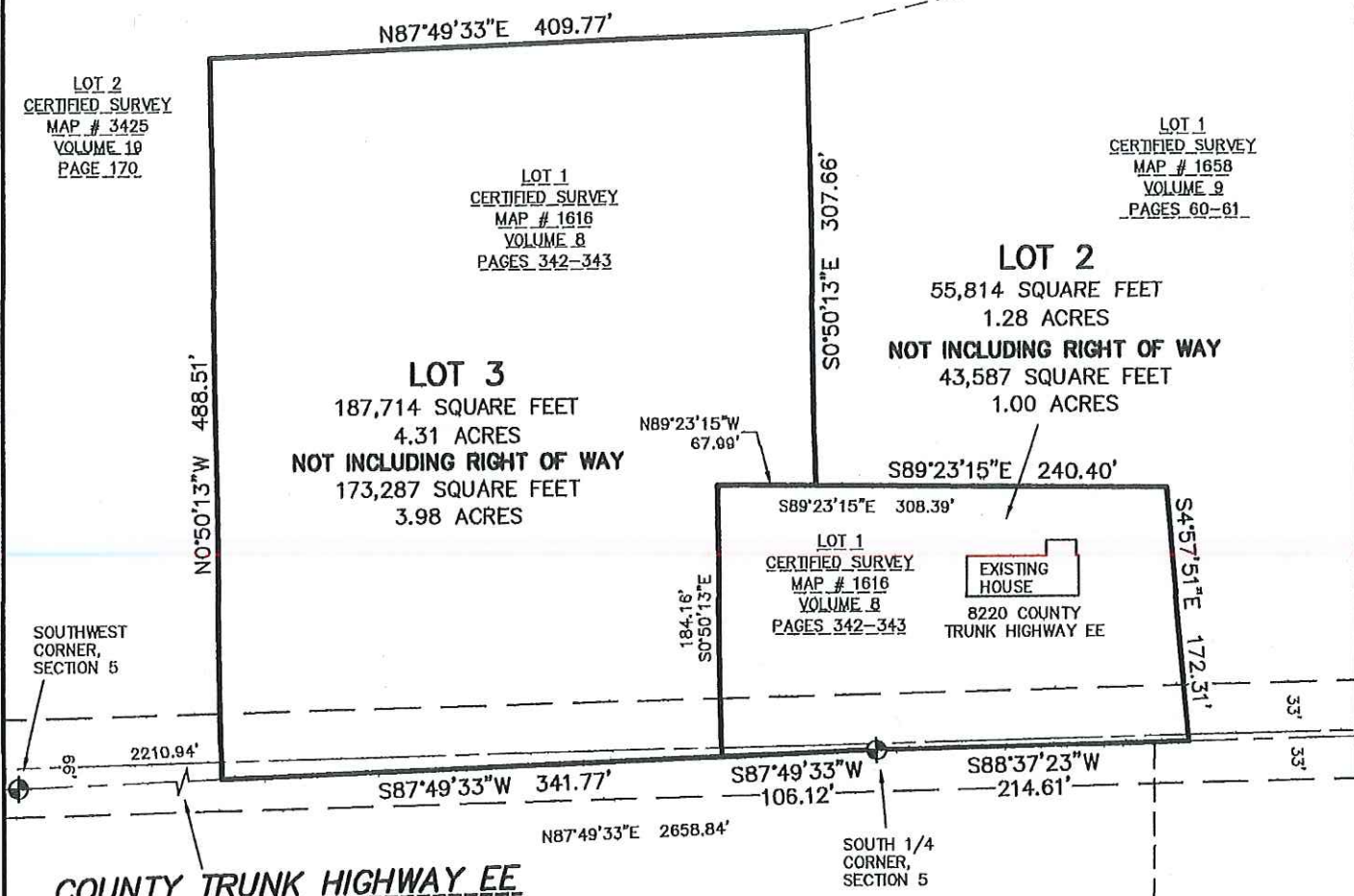
N/A

**LOT 3 REZONE DESCRIPTION: A2 -> C3**  
 LOCATED IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼, SECTION 5, TOWNSHIP 27 NORTH, RANGE 10 WEST, TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN, BEING PART OF LOT 1 CERTIFIED SURVEY MAP # 1616, VOLUME 8 OF CERTIFIED SURVEY MAPS, PAGES 342-343 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1;  
 THENCE N.00°50'13"W., A DISTANCE OF 488.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;  
 THENCE N.87°49'33"E., A DISTANCE OF 409.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;  
 THENCE S.00°50'13"E., A DISTANCE OF 307.66 FEET;  
 THENCE N.89°23'15"W., A DISTANCE OF 67.99 FEET;  
 THENCE S.00°50'13"E., A DISTANCE OF 184.16 FEET;  
 THENCE S.87°49'33"W., A DISTANCE OF 341.77 FEET TO THE POINT OF BEGINNING.

**LOT 2 REZONE DESCRIPTION: A2 -> RH**  
 LOCATED IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ & THE SOUTHWEST ¼ OF THE SOUTHEAST ¼, SECTION 5, TOWNSHIP 27 NORTH, RANGE 10 WEST, TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN, BEING PART OF LOT 1 CERTIFIED SURVEY MAP # 1616, VOLUME 8 OF CERTIFIED SURVEY MAPS, PAGES 342-343 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1;  
 THENCE S.88°37'23"W., A DISTANCE OF 214.61 FEET TO THE SOUTH ¼ CORNER OF SECTION 5;  
 THENCE S.87°49'33"W., A DISTANCE OF 106.12 FEET;  
 THENCE N.00°50'13"W., A DISTANCE OF 184.16 FEET;  
 THENCE S.89°23'15"E., A DISTANCE OF 308.39 FEET;  
 THENCE S.04°57'51"E., A DISTANCE OF 172.31 FEET TO THE POINT OF BEGINNING.



**REZONE EXHIBIT**

8220 COUNTY TRUNK HIGHWAY EE  
 EAU CLAIRE, WI 54701  
 TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN

## Lot 3 Rezone Description: A2-> C3

LOCATED IN THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$ , SECTION 5, TOWNSHIP 27 NORTH, RANGE 10 WEST, TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN, BEING PART OF LOT 1 CERTIFIED SURVEY MAP # 1616, VOLUME 8 OF CERTIFIED SURVEY MAPS, PAGES 342-343 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1;

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THENCE N.87°49'33"E., A DISTANCE OF 409.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE S.00°50'13"E., A DISTANCE OF 307.66 FEET;

THENCE N.89°23'15"W., A DISTANCE OF 67.99 FEET;

THENCE S.00°50'13"E., A DISTANCE OF 184.16 FEET;

THENCE S.87°49'33"W., A DISTANCE OF 341.77 FEET TO THE POINT OF BEGINNING.

## Lot 2 Rezone Description: A2-> RH

LOCATED IN THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  & THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$ , SECTION 5, TOWNSHIP 27 NORTH, RANGE 10 WEST, TOWN OF UNION, EAU CLAIRE COUNTY,



WISCONSIN, BEING PART OF LOT 1 CERTIFIED SURVEY MAP # 1616, VOLUME 8 OF CERTIFIED SURVEY MAPS, PAGES 342-343 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE S.88°37'23"W., A DISTANCE OF 214.61 FEET TO THE SOUTH ¼ CORNER OF SECTION 5;

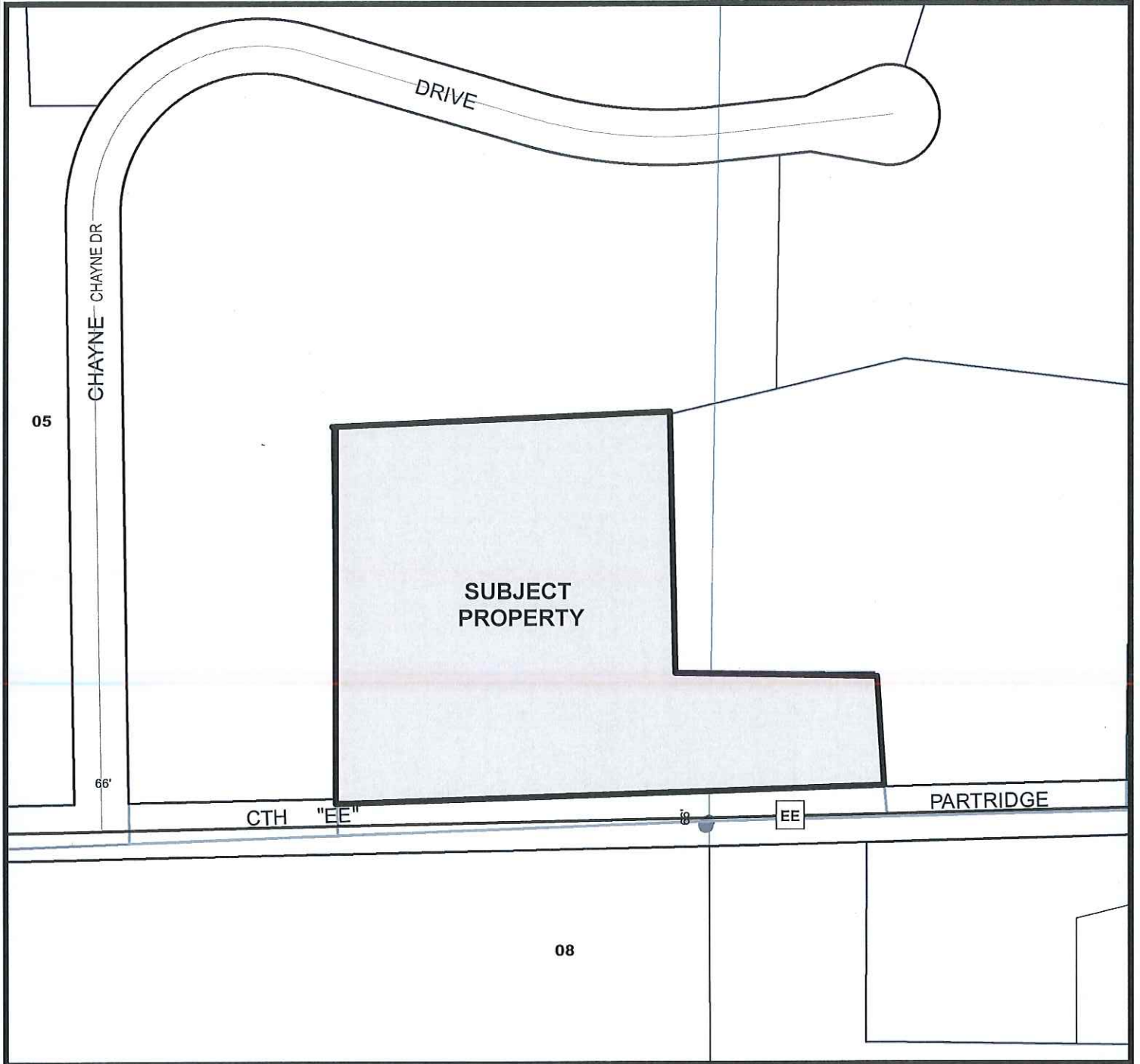
THENCE S.87°49'33"W., A DISTANCE OF 106.12 FEET;

THENCE N.00°50'13"W., A DISTANCE OF 184.16 FEET;

THENCE S.89°23'15"E., A DISTANCE OF 308.39 FEET;

THENCE S.04°57'51"E., A DISTANCE OF 172.31 FEET TO THE POINT OF BEGINNING.

# KRENZ REZONING LOCATION MAP



**Parcel Mapping Notes:**

The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.









Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1802222710053400001	SPICKLER, CLIFFORD V & DEBRA L	1500 BIRCH HILLS DR	EAU CLAIRE	WI	54701-5407
1802222710053409000	KRENZ, CORY	604 RUSTY CT	ALTOONA	WI	54720
1802222710054300003	LESTER, DENISE	PO BOX 300	ELEVA	WI	54738-0300
1802222710054300007	K & P ENTERPRISES	7918 PARTRIDGE RD	EAU CLAIRE	WI	54703-9648
1802222710054309001	PERNER, JAMES	W 3224 MITCHELL RD	EAU CLAIRE	WI	54701-8604
1802222710054309003	KANYELIS, MICHAEL	8130 PARTRIDGE RD	EAU CLAIRE	WI	54703-9646
1802222710081200001	PETERS, WAYNE R & MARJORIE N	1620 S HASTINGS WAY	EAU CLAIRE	WI	54701-4620
1802222710081200002	HUNTSINGER FARMS INC	PO BOX 360	EAU CLAIRE	WI	54702-0360
1802222710081209000	(STEPHAN) OTTINGER, MELODY	2904 E CABALLERO ST	MESA	AZ	85713-7805

**FACT SHEET**

**TO FILE NO 19-20/017**

Wisconsin Legislature created the Knowles-Nelson Stewardship Program in 1989 to preserve valuable natural areas and wildlife habitat, protect water quality and fisheries, and expand opportunities for outdoor recreation. Per Wis. Stat. § 23.0915(2c)(d) the Knowles-Nelson Stewardship Program is set to expire in 2020.

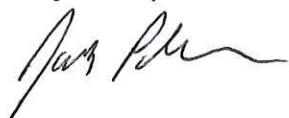
Eau Claire County has utilized Stewardship grant funds to develop trails and other public outdoor recreation opportunities including: Pinter Pines/Coon Gut acquisition, Meteor Timber acquisition, and the Brown property acquisition.

Eau Claire County recognizes the need to balance debt burden with conservation benefits, the County urges the State to renew the Knowles Nelson Stewardship Program with funding to perpetuate the Program while continuing to retire existing bond debt, with the goal to stabilize debt at current levels or gradually reduce same.

The Knowles-Nelson Stewardship Program has been a valuable tool to preserve and restore natural areas, wildlife habitat, and water quality while supporting the development of public nature-based outdoor recreation opportunities that promote economic development and enhance quality of life.

**Fiscal Impact:** Receiving a Knowles-Nelson Stewardship grant is equal to 50% of the appraised price of the property acquired.

Respectfully submitted,



Josh Pedersen  
Parks & Forest Director

4 - SUPPORTING THE CONTINUATION OF THE KNOWLES-NELSON STEWARDSHIP  
5 PROGRAM -

6 WHEREAS, the Wisconsin Legislature created the Knowles-Nelson Stewardship Program  
7 in 1989 to preserve valuable natural areas and wildlife habitat, protect water quality and fisheries,  
8 and expand opportunities for outdoor recreation. Per Wis. Stat. § 23.0915(2c)(d) the Knowles-  
9 Nelson Stewardship Program is set to expire in 2020; and,

10  
11 WHEREAS, the program has supported land acquisition and capital development by the  
12 Department of Natural Resources (DNR), local governments, and nonprofit conservation  
13 organizations to preserve valuable natural areas, wildlife habitat, water quality and outdoor  
14 recreation for public benefit around the state. Eau Claire County has utilized Stewardship grant  
15 funds to develop trails and other public outdoor recreation opportunities., and,

16  
17 WHEREAS, Eau Claire County has utilized Stewardship grant funds to develop trails and  
18 other public outdoor recreation opportunities as listed below:

- 19 • to acquire land for Pinter Pines/Coon Gut,
- 20 • the Meteor Timber property, and
- 21 • the Brown property just last year.
- 22 • Kiwanis Acquisition in the Town of Union

23  
24 WHEREAS, whereas Eau Claire County recognizes the need to balance debt burden with  
25 conservation benefits, the County urges the State to renew the Knowles Nelson Stewardship  
26 Program with funding to perpetuate the Program while continuing to retire existing bond debt,  
27 with the goal to stabilize debt at current levels or gradually reduce same.

28  
29 NOW THEREFORE BE IT RESOLVED, that the Eau Claire County Board of Supervisors  
30 considers the Knowles-Nelson Stewardship Program a valuable tool to preserve and restore natural  
31 areas, wildlife habitat, and water quality while supporting the development of public nature-based  
32 outdoor recreation opportunities that promote economic development and enhance quality of life,  
33 and

34 BE IT FURTHER RESOLVED, that the Eau Claire County Board of Supervisors does  
35 recommend and support funding renewal for the Knowles-Nelson Stewardship Program, and

36  
37 BE IT FINALLY RESOLVED, that the Eau Claire County Board of Supervisors directs  
38 the county clerk to forward this resolution to the governor, assembly members and senators  
39 representing Eau Claire County and the Wisconsin Counties Association.

40 \_\_\_\_\_  
41 \_\_\_\_\_  
42 \_\_\_\_\_  
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44 \_\_\_\_\_  
45 \_\_\_\_\_  
46 \_\_\_\_\_  
47 \_\_\_\_\_  
48 \_\_\_\_\_  
49 \_\_\_\_\_

Committee on Parks and Forest

Reviewed by Finance Dept.  
for Fiscal Impact

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

KRZ/yk

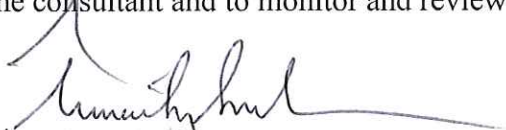
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.



File No. 19-20/023

FACT SHEET

This resolution authorizes the transfer of \$30,000.00 from the contingency fund for consulting services for program review/audit of the Eau Claire County Department of Human Services, and for the creation of an ad hoc committee to define the parameters for the consultant and to monitor and review the progress of the consultant.

A handwritten signature in blue ink, appearing to read "Timothy J. Sullivan", with a long horizontal flourish extending to the right.

Timothy J. Sullivan  
Corporation Counsel

4 **AUTHORIZING A CONTINGENCY FUND TRANSFER FOR DEPARTMENT OF**  
5 **HUMAN SERVICES PROGRAM REVIEW**

6  
7 WHEREAS, Eau Claire County Department of Human Services has exceeded its budget  
8 consistently over the last three years, and that the department overages have exceeded a cumulative  
9 of \$5 Million during that time, and the department’s continuous overages have created repercussions  
10 and consequences for the entire county; and,

11  
12 WHEREAS, the Department of Human Service implements programs mandated by state and  
13 federal law, but state and federal reimbursements are not commensurate with the expenditures  
14 required to fulfill the mandates; and,

15  
16 WHEREAS, the Department of Human Services, in discharging its responsibilities, has come  
17 under increased pressure to provide out of home placement for children and adults which contribute  
18 to a significant amount of the budget overage; and,

19  
20 WHEREAS, the Department of Human Services projects that it will exceed its annual budget  
21 again in the fiscal year 2019 by approximately \$2 Million; and,

22  
23 WHEREAS, In an effort to better understand the nature of the mandate and the expenditure  
24 required to fulfill the mandate, and to better understand the funding shortfall in the Department of  
25 Human Services, it would be beneficial to hire a consultant to review the operations, expenses,  
26 sources of income, and fiscal practices of the department as they relate to their program  
27 requirements; and,

28  
29 NOW THEREFORE BE IT RESOLVED, the Eau Claire County Board of Supervisors  
30 does hereby authorize the expenditure of up to \$30,000 from the contingency fund to be paid for  
31 consulting services for the program review/audit of the Eau Claire County Department of Human  
32 Services with said consultant chosen by the purchasing policies of the Eau Claire County; and,

33  
34 NOW THEREFORE BE IT FURTHER RESOLVED, that an ad hoc committee will  
35 consist of the chairs of the Human Services Board, the committee on Finance and Budget, and  
36 the committee on Human Resources; along with the County Treasurer or her designee, the  
37 Sheriff or his designee; and the Finance Director and one citizen member chosen by the County  
38 Board Chair. The committee will define the parameters for the consultant and review and  
39 monitor the progress of the consultant, with said ad hoc committee reporting to the full County  
40 Board.  
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BE IT FURTHER RESOLVED,

*J. Donald Dilkie*

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Committee on Finance and Budget

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ORDINANC/19-20/23

**Reviewed by Finance Dept.  
for Fiscal Impact**  
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TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Committee on Finance & Budget

File No. 19-20/012

**ANALYSIS**

The Committee on Finance & Budget has reviewed the proposed ordinance 19-20/012 “To Amend Section 4.35.165 B. f the code: Land Conservation fees; to Repeal and Recreate Chapter 17.04 of the Code.”

**RECOMMENDATION**

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 19-20/012 be and is hereby adopted.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on June 10, 2019 by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against.

---

Stella Pagonis, Chair  
Committee on Finance & Budget

AW

ORDINANCE\Rept.19-20/012

**FACT SHEET**

**TO FILE NO. 19-20/012**

This ordinance repeals Chapter 17.04 Animal Waste Storage and recreates Chapter 17.04 Agricultural Performance Standards and Manure Storage.

This ordinance incorporates the recommendations of the Ag Ordinance Review Special Committee, which was created by the Board of Supervisors and appointed by County Board Chair. The Special Committee included members who represented livestock and cash crop agriculture, environmental and conservation organizations, and representatives of towns, villages, cities, and the Board of Supervisors of Eau Claire County. The Special Committee performed the action items outlined in Section 8 of File No. 18-19/065 Temporary Moratorium on the Expansion and Creation of Large-Scale Livestock Facilities.

This ordinance incorporates the Wisconsin Administrative Code NR 151 – Agricultural Performance Standards and Prohibitions as they apply to Eau Claire County. This ordinance also updates and clarifies the permitting process for construction, modification, or closure of manure storage facilities and associated structures.

The ordinance also amends Section 4.35.165 B, which is in relation to the fees associated with Chapter 17.04.

Fiscal impact: None

Respectfully submitted,



Gregory R. Leonard  
Land Conservation Manager  
Land Conservation Division – Planning and Development

GRL

**AG ORDINANCE REVIEW SPECIAL COMMITTEE**

Recommendations

---

**Members:** Gary Gibson, Tami Smith-Schroeder, Robin Leary, Derrick Nelson, Ed Gorell, Steve Strey, Roland Fischer, Andy Ferguson, Eleanor Wolf, Paul La Liberte, Jody Wilhelm, Mark Zuber, Dane Zook, Kate Beaton, Todd Meyer, Cynthia Anderegg

**Alternates:** Tami Schraufnagel, Jon Nicolet

The Ag Ordinance Review Special Committee (AORSC) was appointed by County Board Chair Nick Smiar to proceed with the action items contained within the Large-Scale Livestock Moratorium adopted by the Eau Claire County Board in October of 2018.

The AORSC first met in November 2018 and took tours of local farms. Since the initial meeting, the AORSC has met eight additional times. The AORSC meetings have included educational and background presentations on:

- Local zoning, erosion control, stormwater and shoreland protection ordinances
- Wisconsin's Ag Performance Standards and Prohibitions (NR-151)
- Eau Claire County's Animal Waste Storage Ordinance
- Eau Claire County's State of the Groundwater Report
- Wisconsin's Concentrated Animal Feeding Operations (CAFO) regulations (NR-243)
- Wisconsin's Livestock Facility Siting regulations (ATCP-51)

These presentations are recorded and available at:

<https://www.co.eau-claire.wi.us/government/boards-commissions-and-councils/ag-ordinance-review-committee>

Following the educational and background information process, the AORSC began a comprehensive discussion concerning the above outlined topics. The following is a summary of the action items and recommendations made by the Ag Ordinance Review Special Committee:

**ACTION:** Motion by Smith-Schroeder/Zuber to recommend incorporation of NR-151 Ag Performance Standards and Prohibitions into County Code. Discussion to clarify how NR-151 would be adopted, such as an operations ordinance, part of livestock siting, or part of the animal waste storage ordinance. The motion is to recommend incorporating NR-151 into County Code only, but the placement and type of ordinance will be part of future meeting recommendations. Motion carried, 9-1-0.

**ACTION:** Motion by Gibson to incorporate the NRCS 634 Waste Transfer Standard into the ordinance update. Motion carried, 12-0-0.

Consensus by the whole group: in support of updating and changing the definition of "idle facility" in the ordinance, while allowing well-constructed facilities to be retained for emergency situations.

Consensus by the whole group: In support of incorporating the NRCS 360 Waste Facility Closure standard into the ordinance.

Consensus by the whole group: "written proof of land availability" should accompany a Nutrient Management Plan when stored manure will be applied on land not owned by the farm operator.



**AG ORDINANCE REVIEW SPECIAL COMMITTEE**

Recommendations

Zook: the manure storage ordinance should not apply in the incorporated areas of Eau Claire County.

Consensus by the whole group: future updates to NRCS standards referenced in the ordinance are adopted with LCC approval.

Consensus by the whole group: allow double fees for after the fact permits.






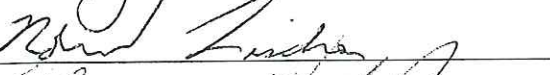

Consensus by the whole group: submittal of a partial nutrient management plan is acceptable during initial manure storage construction permit issuance if a certificate of use will later be granted.

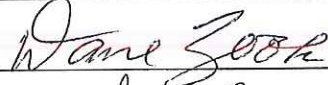
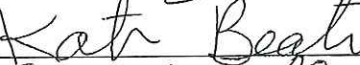

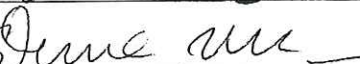
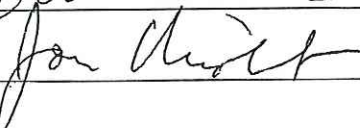
Consensus by the whole group: incorporate a Certificate of Use into the ordinance.

**ACTION:** Motion by Ed Gorell to recommend not adopting livestock siting into county ordinances. Motion carried, 12-0-0.

**ACTION:** Motion by Mark Zuber to approve the above action items, consensuses, and recommendations. Motion carried, 12-0-0.

Signatures:

Signed this 26<sup>th</sup> day of March, 2019.

2  
3 - TO AMEND SECTION 4.35.165 B. OF THE CODE: LAND CONSERVATION FEES; TO  
4 REPEAL AND RECREATE CHAPTER 17.04 OF THE CODE -

5  
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7  
8 SECTION 1. That Subsection B. of Section 4.35.165 be amended to read:

- 9
- 10 B. ~~Animal waste~~ Manure storage permit fees
- 11 1. ~~Manure storage~~ New or modified permit fee \$540.00
- 12 a. with a footprint of the liner less
- 13 than 60,000 square feet \$450.00
- 14 b. with a foot print of the liner of
- 15 of 60,00 square feet or greater \$750.00
- 16 2. ~~Abandonment~~ Closure permit fee \$220.00

17  
18 SECTION 2. That Chapter 17.04 be repealed and recreated to read:

19  
20 Chapter 17.04

21  
22  
23 AGRICULTURAL PERFORMANCE STANDARDS AND MANURE STORAGE

24  
25  
26 Sections:

27 SUBCHAPTER I. GENERAL PROVISIONS

- 28
- 29
- 30 17.04.001 Authority and name.
- 31 17.04.005 Findings and declaration of policy.
- 32 17.04.010 Purpose.
- 33 17.04.020 Interpretation.
- 34 17.04.030 Severability clause.
- 35 17.04.040 Applicability.

36  
37  
38 17.04.001 Authority and name. This ordinance is adopted under authority granted by  
39 Wis. Stat. §§ 59.70, 59.02, 59.03, 92.15, and 92.16, and Wisconsin Administrative Code ("Wis.  
40 Admin. Code") Wis. Admin. Code ch. ATCP 50.56 and NR 151.05. This ordinance shall be  
41 known as, referred to, and may be cited as the "Eau Claire County Agricultural Performance  
42 Standards and Manure Storage Ordinance" and is hereinafter referred to as the "ordinance".

43  
44 17.04.005 Findings and declaration of policy. The Eau Claire County Board of  
45 Supervisors finds that the following conditions may threaten the county's natural and water  
46 resources, cause harm to the health, safety and welfare of people within the county, and  
47 adversely impact the property tax base of the county:  
48



- 1 A. New and substantially altered manure storage facilities that fail to meet
- 2 performance and technical standards for proper design, construction and operation.
- 3 B. Existing manure storage facilities that are not properly functioning and pose
- 4 unreasonable risks related to structural failure and leakage.
- 5 C. Existing manure storage facilities that overtop or are operated in a manner that
- 6 creates an unreasonable risk of discharge to waters of state.
- 7 D. Existing manure storage facilities where no manure has been added or removed
- 8 for a period of 24 months and are not slated for future use.
- 9 E. Management and storage of manure including land application that fails to meet
- 10 performance and technical standards for proper handling and land application of manure.

11  
12 17.04.010 Purpose. The purpose of this ordinance is to regulate the location, design,  
13 construction, installation, alteration, operation, maintenance, closure, and use of manure storage  
14 facilities; ensure the proper application of waste and manure from all storage facilities covered  
15 by this Ordinance, and prescribe performance standards and prohibitions related to manure and  
16 other agricultural management and use of manure storage facilities in order to prevent water  
17 pollution and thereby protect the health of Eau Claire County residents and visitors; prevent the  
18 spread of disease; and promote the prosperity and general welfare of the citizens of Eau Claire  
19 County. It is also intended to provide for the administration and enforcement of the ordinance  
20 and to provide penalties for its violation.

21  
22 17.04.020 Interpretation. In their interpretation and application, the provisions of this  
23 ordinance shall be held to be minimum requirements and shall not be deemed a limitation or  
24 repeal of any other power granted by the Wisconsin Statutes.

25  
26 17.04.030 Severability clause. If any section, provision, or portion of this ordinance is  
27 ruled invalid by a court, the remainder of the ordinance shall not for that reason be rendered  
28 ineffective.

29  
30 17.04.040 Applicability. This ordinance applies to all land located within the  
31 unincorporated areas of Eau Claire County, unless an intergovernmental agreement is established  
32 with the governmental entity of an incorporated municipality within Eau Claire County. Best  
33 management practices, conservation practices and manure storage facilities shall comply with all  
34 federal, state, and local laws, rules and regulations.

35  
36  
37 SUBCHAPTER II. ACTIVITIES SUBJECT TO REGULATION

- 38
- 39
- 40 17.04.050 Permit requirements.
- 41 17.04.060 Performance standards and prohibitions.
- 42
- 43

44 17.04.050 Permit requirements. Any person who constructs, substantially alters, changes  
45 use of or closes a manure storage facility and related transfer systems, or who employs another  
46 person to do the same, shall be subject to the provisions of this Ordinance. A person is in  
47 compliance with this ordinance if he or she follows the procedures of this ordinance, receives a  
48 permit from the land conservation division before beginning activities subject to permit  
49 requirements under this ordinance, and complies with the requirements of the permit.







1                   b. Nutrient management plans for croplands in watersheds that  
2 contain impaired surface waters or in watersheds that contain outstanding or exceptional resource  
3 waters shall meet the following criteria:

4                   i. unless otherwise provided in this subsection, the plan shall  
5 be designed to manage soil nutrient concentrations so as to maintain or reduce delivery of  
6 nutrients contributing to the impairment of impaired surface waters and to outstanding or  
7 exceptional resources waters.

8                   ii. The plan may allow for an increase in soil nutrient  
9 concentrations at a site if necessary to meet crop demands

10                  iii. For lands in watersheds containing exceptional or  
11 outstanding resource waters, the plan may allow an increase in soil nutrient concentrations if the  
12 plan documents that any potential nutrient delivery to the exceptional or outstanding resource  
13 waters will not alter the background water quality of the exceptional or outstanding resource  
14 waters. For lands in watersheds containing impaired waters, the plan may allow an increase in  
15 soil nutrient concentrations if a low risk of delivery of nutrients from the land to the impaired  
16 water can be demonstrated.

17                  4. In this ordinance, impaired surface waters are waters identified as  
18 impaired pursuant to 33 U.S.C. § 1313(d)(1)(A) and 40 C.F.R. § 130.7. Outstanding and  
19 Exceptional Resource Waters are defined in Wis. Admin. Code Ch. NR 102.

20                  5. An updated nutrient management plan and checklist shall be submitted to  
21 the land conservation division annually to ensure the plan meets requirements of this section.

22                  E. Clean Water Diversion. All livestock producers within a water quality  
23 management area shall comply with this section. Runoff shall be diverted away from contacting  
24 feedlot, manure storage areas and barnyard areas within water quality management areas except  
25 that a diversion to protect a private well under Wis. Admin. Code § NR 151.015 (18) (a) is  
26 required only when the feedlot, manure storage area, or barnyard area is located upslope from the  
27 private well.

28                  F. Manure Management Prohibitions. All livestock producers shall comply with this  
29 section as follows:

30                   1. A livestock operation shall have no overflow of manure storage structures.

31                   2. A livestock operation shall have no unconfined manure piles within a  
32 water quality management area.

33                   3. A livestock operation shall have no direct runoff from a feedlot or stored  
34 manure to waters of the state. Stored manure not contained within a manure storage facility shall  
35 meet the standards for stacking or piling manure.

36                   4. A livestock operation may not allow unlimited access by livestock to  
37 waters of the state in a location where high concentrations of animals prevent the maintenance of  
38 adequate sod or self-sustaining vegetative cover. This prohibition does not apply to properly  
39 designed, installed and maintained livestock or farm equipment crossings.

40                  G. Process Wastewater Handling. All livestock producers shall comply with this  
41 section.

42                   1. There may be no significant discharge of process wastewater to waters of  
43 the state.

44                   2. The land conservation division shall consider all of the following factors  
45 when determining whether a discharge of process wastewater is a significant discharge to waters  
46 of the state:

47                   a. Volume and frequency of the discharge.

48                   b. Location of the source relative to receiving waters.

49                   c. Means of process wastewater conveyance to waters of the state.



- 1 d. Slope, vegetation, rainfall, and other factors affecting the
- 2 likelihood of process wastewater discharge to waters of the state.
- 3 e. Available evidence of discharge to a surface water of the state or to
- 4 a direct conduit to groundwater.
- 5 f. Whether the process wastewater is discharged to a site that is
- 6 defined as a site that is susceptible to groundwater contamination.
- 7 g. Other factors relevant to the impact of the discharge on water
- 8 quality standards of the receiving water or to groundwater standards.

9 H. Manure Storage Facilities. All livestock producers building new manure storage  
10 facilities, substantially altering manure storage facilities, or choosing to abandon their manure  
11 storage facilities shall comply with this section.

12 1. New construction and alterations.

13 a. New or substantially altered manure storage facilities shall be  
14 designed, constructed, and maintained to minimize the risk of structural failure of the facility and  
15 to minimize leakage of the facility in order to comply with groundwater standards. The levels of  
16 materials in the storage facility may not exceed the margin of safety level. Storage facilities that  
17 are constructed or significantly altered on or after January 1, 2011, shall be designed and  
18 operated to contain the additional volume of runoff and direct precipitation entering the facility  
19 as a result of a 25-year, 24-hour storm.

20 b. A new manure storage facility means a facility constructed after  
21 October 1, 2002.

22 c. A substantially altered manure storage facility is a manure storage  
23 facility that is substantially altered after October 1, 2002.

24 2. Closure.

25 a. Closure of a manure storage facility shall occur when an operation  
26 where the facility is located ceases operations or manure has not been added or removed from  
27 that facility for a period of 24 months. Manure facilities shall be closed in a manner that will  
28 prevent future contamination of groundwater and surface waters.

29 b. The owner or operator may retain the facility for a longer period of  
30 time by demonstrating to the land conservation division that all of the following conditions are  
31 met:

32 i. The facility is designed, constructed and maintained in  
33 accordance with 17.04.080 (H)(1)a of this ordinance.

34 ii. Retention of the facility is warranted based on anticipated  
35 future use.

36 3. Existing Facilities. Manure storage facilities in existence as of October 1,  
37 2002, that pose an imminent threat to public health or fish and aquatic life, or are causing a  
38 violation of groundwater standards, shall be upgraded, replaced, or abandoned in accordance  
39 with this section. Levels of materials in manure storage facilities may not exceed the margin of  
40 safety level.

41 I. Human Household Wastewater Prohibited. Human household wastewater shall  
42 not be discharged into manure storage facilities.

43  
44 17.04.090 Standards.

45 A Standards for Evaluating Sheet, Rill, and Wind Erosion. The standards for  
46 evaluating sheet, rill, and wind erosion shall be the Revised Universal Soil Loss Equation II  
47 (RUSLE2) equation or the Wind Erosion Prediction System (WEPS) models published by  
48 NRCS. Copies of RUSLE2 and the WEPS models are on file with the land conservation  
49 division.



1 B. Standards for Design and Construction of Manure Storage Facilities. The  
2 standards for design and construction of manure storage facilities shall be the current standards  
3 in the NRCS Technical Guide, including but not limited to 313 Waste Storage Facility; 367  
4 Roofs and Covers; 520 Pond Sealing or Lining, Compacted Soil Treatment; 521 Pond Sealing or  
5 Lining, Geomembrane or Geosynthetic Clay Liner; 522 Pond Sealing or Lining, Concrete; 558  
6 Roof Runoff Structure; 634 Waste Transfer; and 629 Waste Treatment and any amendments to  
7 these standards.

8 C. Standards for Nutrient Management. The standards for management of manure  
9 and nutrients applied to cropland and pastures shall be the current standards in the NRCS  
10 Technical Guide, including 590 Nutrient Management and any amendments.

11 D. Standards for Closure of Manure Storage Facility. The standards for closure of an  
12 unused manure storage facility shall be the current standards in the NRCS Technical Guide,  
13 including 360 Waste Facility Closure and any amendments.

14 E. Standards for Stacking or Piling Manure. The standards for stacking or piling  
15 manure shall be the current standards in the NRCS Technical Guide, including 318 Short Term  
16 Storage of Animal Waste and By-Products and 313 Waste Storage Facility, and any  
17 amendments.

18 F. Standards for Determination of Significant Discharge and Direct Runoff. The  
19 standards for determination of direct runoff shall be the "BARNY runoff prediction model"  
20 which is the NRCS "Evaluation System to Rate Feedlot Pollution Potential," ARM-NC-17 (April  
21 1982 version with modifications as of August 2005, or an equivalent predictive model for  
22 manure runoff as approved by the land conservation division. An Excel computer spreadsheet  
23 version of the BARNY model is available at  
24 <https://datcp.wi.gov/Documents/BARNYSpreadsheet.xls>.

25 G. Standards for the Determination of Adequate Sod or Self-Sustaining Vegetative  
26 Cover. Standards for determination of adequate sod or self-sustaining vegetative cover shall be  
27 the standards outlined in the NRCS Technical Guide 528 Prescribed Grazing, and any  
28 amendments, or vegetative measurement by grid sample shall show at least 70 percent living  
29 plant material cover.

30 H. Subsequent Modification of Standards. The standards of the NRCS Technical  
31 Guide are adopted and by reference made a part of this chapter as if fully set forth herein. Any  
32 future amendment, revision or modification of the standards incorporated herein are made a part  
33 of this chapter upon adoption by the Eau Claire County Land Conservation Commission. Copies  
34 of the current standards are available at the land conservation division.

35  
36 17.04.100 Cost share required. An owner or operator of an agricultural facility or  
37 practice that is in existence before October 1, 2002, may not be required to comply with the  
38 performance standards, prohibitions, conservation practices or technical standards under this  
39 subchapter unless cost-sharing is available from any source, to the owner or operator. A  
40 determination that cost-sharing is available to meet the performance standards, prohibitions,  
41 conservation practices or technical standards under this subchapter will be determined in  
42 accordance with Wis. Admin. Code § NR 151.09(4)(d) or § NR 151.095(5)(d) when funding is  
43 provided under Wis. Stat. § 281.65, and will be determined in accordance with Wis. Admin.  
44 Code ch. ATCP 50 when funds are from any other source. Cost sharing under this subchapter is  
45 only required for the minimum practice necessary to meet the performance standards and  
46 prohibitions.

47  
48  
49



1 SUBCHAPTER IV. MANURE STORAGE FACILITY PERMIT, USE  
2 AND SPECIFICATIONS  
3  
4

5 17.04.110 Application for issuance of permits.

6 17.04.120 Certificate of use.  
7  
8

9 17.04.110 Application for Issuance of Permits.

10 A. Permit Required. No person may do any of the following without first obtaining a  
11 permit in accordance with this Subchapter:

12 1. Construct a new manure storage facility or substantially alter an existing  
13 manure storage facility, including the construction or substantial alteration of waste transfer  
14 systems connected to a manure storage facility.

15 2. Upgrade, repair or replace a manure storage facility that has been  
16 identified as posing an imminent threat to public health, fish and aquatic life, or groundwater  
17 under 17.04.080(H)(3).

18 3. Close an existing manure storage facility, including conversion of its use,  
19 regardless of whether the facility must be closed in accordance with 17.04.080(H)(3).

20 B. No Permit Required. Manure storage facilities in place as of the date of passage  
21 of this ordinance shall be determined to be existing storage facilities subject to the rules in place  
22 at the time of construction and shall not be required to obtain a permit unless they are being  
23 substantially altered or closed after the date of passage. Owners of existing storage facilities  
24 may, at their discretion, apply for a Certificate of Use.

25 C. Exception to Permit Requirement. Emergency repairs such as repairing a broken  
26 pipe or equipment, leaking dikes, or the removal of stoppages may be performed without a  
27 permit. A report shall be made to the land conservation division within 2 work days of the  
28 emergency for a determination by the land conservation division on whether a permit will be  
29 required for any additional alteration or repair to the facility.

30 D. Onsite Investigation Required. Each application for a permit under this section  
31 shall require an onsite inspection prior to permit issuance and include a summary report on site  
32 conditions. The site inspection shall be conducted by the land conservation division staff.

33 E. Fees. The nonrefundable fees for a permit under this ordinance shall be based  
34 upon the footprint of the liner(s) and as listed in 4.35.165. A double permit fee shall be charged  
35 by the land conservation division if activity requiring approval under 17.04.110(A) commences  
36 prior to obtaining a permit. Such double fee shall not release the responsible party from full  
37 compliance with this chapter nor from prosecution for violation of this chapter.

38 F. Manure Storage Facility Plan Requirements. Each application for a manure  
39 storage permit under this section shall include the completion of the county permit application  
40 and a detailed manure storage facility construction plan. The applicant can employ the services  
41 of a private design consultant or a registered professional engineer to prepare the plan. Technical  
42 assistance for plan development may be made available to applicants upon request through the  
43 land conservation division, as available staff time will allow.

44 G. Manure Storage Construction Plan Requirements. A complete permit application  
45 for a new or modified storage facility shall meet or exceed the minimum established limits and  
46 specific criteria within NRCS Technical Standard 313 Waste Storage Facility, and additional  
47 Technical Standards, including, but not limited to; 367 Roofs and Covers; 520 Pond Sealing or  
48 Lining, Compacted Soil Treatment; 521 Pond Sealing or Lining, Geomembrane or Geosynthetic



1 Clay Liner; 522 Pond Sealing or Lining, Concrete; 558 Roof Runoff Structure; 634 Waste  
2 Transfer; and 629 Waste Treatment where they apply. The plan shall include all the following:

3 1. The number, type, and size of animals for which storage is provided and  
4 the duration for which storage is to be provided.

5 2. The type and amount of bedding to be used in the operation and all aspects  
6 of handling and recovery of this bedding material.

7 3. The type and quantity of flush water, milk house waste, or other additives  
8 which will be added to the manure storage facility.

9 4. A general location map drawing of the site which shall include the  
10 location of structures in relation to buildings, homes, property lines, roads, wells, karst features,  
11 public or private drainage ditches and creeks, flowages, rivers, streams, lakes, floodplains, or  
12 wetlands within one thousand (1,000) feet of the proposed facility or system. The map will  
13 include the scale of the drawing, a north arrow, and the date the general location map was  
14 prepared.

15 5. The soil test pit locations, elevations, and soil descriptions to a depth as  
16 required for the planned structure according to the NRCS Technical Standard 313 Waste Storage  
17 Facility. Soil test pits must be verified by land conservation division staff at the time of  
18 investigation.

19 6. The elevation of groundwater, bedrock or seasonally saturated conditions  
20 if encountered in the soil profile and the date of any such determinations.

21 7. Engineering design drawings of the manure storage facility or waste  
22 transfer system which shall include:

23 a. Specific design components that shall comply with NRCS  
24 Technical Standard 313 Waste Storage Facility, and additional applicable NRCS Technical  
25 Standards such as 634 Waste Transfer.

26 b. A recoverable benchmark(s) including elevation(s) expressed in  
27 feet and tenths.

28 c. The scale of the drawings and the north arrow. The engineering  
29 design drawing shall be drawn to a scale no smaller than one (1) inch equals one hundred (100)  
30 feet.

31 d. The date the engineering design drawings were prepared.

32 8. The structural details, including but not limited to dimensions, cross-  
33 sections, concrete thickness, concrete joint design and placement, design loads, design  
34 computations, reinforcement schedules, thickness and placement of groundwater protection  
35 liners, and all material specifications.

36 9. Provisions for adequate drainage and control of runoff to prevent  
37 pollution of surface water and groundwater.

38 10. An erosion control and/or storm water management plan as defined in  
39 Chapter 17.05 and 17.06.

40 11. Estimated start of construction and construction schedule.

41 12. A safety plan that identifies hazards to animals and people in the  
42 production area, and design features to minimize those hazards.

43 13. An operation and maintenance plan for installed practices.

44 14. An emergency response plan identifying the names and phone numbers of  
45 individuals or others to be notified in the event of any leaks, spills or other system failures that  
46 could discharge manure.

47 15. A certification by a professional engineer registered in the State of  
48 Wisconsin, or an engineering practitioner certified by the Wisconsin Department of Agriculture,



1 Trade and Consumer Protection (DATCP) or the NRCS that the plans meet technical and  
2 ordinance standards.

3 16. A nutrient management plan that complies with Wis. Admin. Code §  
4 ATCP 50.04. The nutrient management plan must be prepared by a nutrient management planner  
5 qualified under Wis. Admin. Code § ATCP 50.04 (3)(c) and submitted prior to issuance of the  
6 permit. If the nutrient management plan indicates manure will be applied to land not owned by  
7 the applicant, the nutrient management plan must include a copy of a lease, manure spreading  
8 agreement, or written proof of land availability. The nutrient management plan must be based on  
9 current soil analyses that comply with Wis. Admin. Code § ATCP 50.04. If current soil analyses  
10 are not available due to frozen soils or other conditions beyond the control of the applicant, the  
11 land conservation division may accept, at its discretion, an incomplete nutrient management plan  
12 at permit submission. A complete nutrient management plan that complies with Wis. Admin.  
13 Code § ATCP 50.04 (3) (d) must be submitted and a Certificate of Use must be issued prior to  
14 use of the manure storage facility.

15 17. Any other additional information required by the land conservation  
16 division to protect water quality and determine compliance with this section.

17 H. Safety Devices. Safety devices as outlined within NRCS Technical Standard 313  
18 Waste Storage Facility or related standards will be installed prior to issuance of the Certificate of  
19 Use.

20 I. Manure Storage Facility Closure Application Requirements. A complete permit  
21 application for waste storage facility closure shall meet all standards as outlined in NRCS  
22 Technical Standard 360 Waste Facility Closure and shall specify:

23 1. Provisions to remove and properly dispose of all accumulated wastes in  
24 the manure storage facility.

25 2. Provisions to remove any concrete or synthetic liner, or properly use  
26 pieces of the concrete or synthetic liner as clean fill at the site.

27 3. Provisions to remove and properly dispose of any soil saturated with waste  
28 from the manure storage facility.

29 4. Provisions to remove any soils to the depth of significant manure  
30 saturation. When contaminated soils are found, they must be removed to the extent necessary  
31 with a minimum depth of 6 inches.

32 5. Provision to remove or permanently plug the waste transfer system serving  
33 the manure storage facility.

34 6. Covering all disturbed area with topsoil, seeding the areas with a grass  
35 mixture, and mulching the seeded area. This section does not apply if an alternative use of the  
36 site is authorized under a closure plan approved by the county as part of the permit.

37 7. Any other additional information required by the land conservation  
38 division to protect water quality and determine compliance with this section.

39 J. Review of Application. The land conservation division shall receive and review  
40 all permit applications. The land conservation division shall determine if the proposed facility  
41 meets required standards set forth in 17.04. Within 30 business days after receiving the  
42 completed application and fee, the land conservation division shall inform the applicant in  
43 writing whether the permit application is approved or disapproved. If additional information is  
44 required, the land conservation division shall so notify the permit applicant. The land  
45 conservation division has 14 business days from the receipt of the additional information in  
46 which to approve or disapprove the application. No construction may commence without the  
47 final approval form being executed by the land conservation division.

48 K. Permit Conditions. All permits issued under this ordinance shall be issued  
49 subject to the following conditions and requirements:



1           1.       Manure storage facility design, construction, closure, management and  
2 utilization activities shall be carried out in accordance with the manure facility plan and  
3 applicable standards specified in 17.04.

4           2.       The permittee shall give 5 working days' notice to the land conservation  
5 division before starting any construction or closure activity authorized by the permit.

6           3.       Written approval from the land conservation division must be obtained  
7 prior to any modifications to the permitted plans.

8           4.       Activities authorized by permit must be completed within 2 years from the  
9 date of issuance, after which the permit shall be void. Permits may be extended upon written  
10 request of the applicant, subject to the corresponding fee, with approval from the land  
11 conservation division.

12          5.       Following completion of construction and prior to issuance of a Certificate  
13 of Use, an agricultural or civil engineer registered in the State of Wisconsin or a DATCP, NRCS,  
14 or land conservation division engineering practitioner and the permittee, and, if applicable, the  
15 contractor shall certify in writing that all facilities and systems were installed as planned,  
16 including as-built drawings and authorized changes or modifications made during construction.

17          6.       The permittee, engineer and contractor shall participate in a pre-  
18 construction conference with land conservation division staff before initiating construction of a  
19 new facility to outline the requirements and responsibilities of all the involved parties.

20          7.       The land conservation division shall provide onsite inspection prior to  
21 issuance of the Certificate of Use. To receive a Certificate of Use, a manure storage facility must  
22 be fully constructed as designed, including the marking of the maximum operating level and  
23 implementation of all safety devices.

24          8.       No permitted manure storage facilities may receive manure until the land  
25 conservation division provides its final approval. No manure may be emptied from a permitted  
26 manure storage facility until the land conservation division approves the nutrient management  
27 plan submitted by the applicant.

28  
29       17.04.120 Certificate of use.

30       A.       Certificate requirement. No person may operate or use a manure storage facility  
31 or any portion of a manure storage facility that was constructed after the effective date of this  
32 ordinance unless the person has a valid Certificate of Use for the storage facility or portion of the  
33 manure storage facility that is being operated or used.

34       B.       Issuance. The land conservation division will issue a Certificate of Use upon  
35 receipt of the written certification required by 17.04.110(K)(5). The Certificate of Use will not  
36 be subject to fees.

37       C.       Operating requirements. The operator of a manure storage facility is in  
38 compliance with the Certificate of Use if the person does all the following:

39           1.       Updates and follows an annual nutrient management plan that complies  
40 with requirements in this ordinance and includes all manure land applied from the manure  
41 storage facility covered by the certification of use.

42           2.       Provides a nutrient management plan, including the Nutrient Management  
43 Checklist, annually to the land conservation division by April 15<sup>th</sup> to document compliance with  
44 ordinance requirements. The land conservation division may take appropriate action authorized  
45 by this chapter if the submitted nutrient management plan does not reasonably substantiate a  
46 checklist answer.

47           3.       Properly operates the storage facility in accordance with performance  
48 standards in 17.04.080 (H) and consistent with the recommended operating methods as defined

1 by the Technical Guide, NRCS-Agricultural Waste Management Field Handbook and NRCS-  
2 Engineering Field Handbook.

3 4. Properly maintains the storage facility free from visible and serious  
4 damage, erosion, or deformities that would impair the facility's safety or function as determined  
5 by the Technical Guide, NRCS-Agricultural Waste Management Field Handbook, and the  
6 NRCS-Engineering Field Handbook.

7 5. Properly maintains the safety devices for a manure storage facility.

8 6. Provides the land conservation division proof of compliance with the  
9 requirements in 17.04 upon request and submits to periodic inspections of the storage facility  
10 with 2 business days advance notice from the land conservation division.

11 7. Develops and implements a plan for closure of the manure storage facility  
12 when the operator ceases use of the facility or closure is required based on conditions specified  
13 in this ordinance.

14 D. Certificate Revocation. The land conservation division may revoke a certificate  
15 of use if there is a misrepresentation of any material fact in the permit application, a  
16 misrepresentation of any material fact in the manure storage facility plan, a misrepresentation of  
17 any material fact in the nutrient management plan, a failure to comply with the nutrient  
18 management plan requirement, a failure to provide the land conservation division with a copy of  
19 the nutrient management plan upon request, or for multiple or repeat violations of this ordinance.  
20 The land conservation division will immediately provide written notice of the revocation, the  
21 reason for the revocation, and corrective actions required.

22 E. Permit Revocation. The land conservation division may revoke the permit issued  
23 under this ordinance if the holder of the permit has misrepresented any material fact in the permit  
24 application or manure facility plan, or if the holder of the permit violates any of the conditions of  
25 the permit.

28 SUBCHAPTER V. ADMINISTRATION, VIOLATIONS AND  
29 APPEALS

- 30  
31  
32 17.04.130 Administration.  
33 17.04.140 Violations.  
34 17.04.150 Appeals.

35  
36  
37 17.04.130 Administration.

38 A. Delegation of Authority. Eau Claire County hereby designates the Eau Claire  
39 County Land Conservation Division to administer and enforce this ordinance.

40 B. Administrative Duties. In the administration of this ordinance, the land  
41 conservation division shall:

42 1. Keep an accurate record of all permit applications, animal waste facility  
43 plans, permits issued, inspections made, and other official actions.

44 2. Review permit applications and issue permits in accordance with  
45 17.04.110.

46 3. Inspect animal waste facility construction to insure the facility is being  
47 constructed according to plan standards and specifications.

48 4. Investigate complaints relating to compliance with the ordinance.

49 5. Perform other duties as specified in this ordinance.



1 C. Inspection Authority. The land conservation division is authorized to enter upon  
2 any lands affected by this ordinance to inspect the land prior to or after permit issuance to  
3 determine compliance with this ordinance. If permission cannot be received from the applicant  
4 or permittee, the permit may be denied or entry by the land conservation division shall be  
5 according to Wis. Stat. § 66.0119.

6 D. Enforcement Authority. The land conservation division is authorized to post an  
7 order stopping work upon land which has had a permit revoked or on land currently undergoing  
8 activity in violation of this ordinance. Notice is given by both posting upon the land where the  
9 violation occurs one or more copies of a poster stating the violation, and by mailing a copy of the  
10 order by certified mail to the person whose activity is in violation of this ordinance. The order  
11 shall specify that the activity must cease immediately and be brought into compliance within 5  
12 working days. Any permit revocation or order stopping work shall remain in effect unless  
13 retracted by the board of land use appeals, the land conservation division, or by a court of  
14 general jurisdiction; or until the activity is brought into compliance with the ordinance. The land  
15 conservation division is authorized to refer any violation of this ordinance or of an order  
16 stopping work issued pursuant to this ordinance to the corporation counsel for commencement of  
17 further legal proceedings.

18  
19 17.04.140 Violations.

20 A. Penalties. Any person who violates, neglects, or refuses to comply with or resists  
21 the enforcement of any of the provisions of this ordinance shall be subject to a forfeiture of up to  
22 \$200.00 plus costs of prosecution for each violation. An unlawful violation includes failure to  
23 comply with any standard of this ordinance or with any condition or qualification attached to the  
24 permit. Each day that a violation exists shall be a separate offense.

25 B. Enforcement of injunction. As a substitute for or as an addition to forfeiture  
26 actions, Eau Claire County may seek enforcement of any part of this ordinance by court actions  
27 seeking injunctions or restraining orders.

28  
29 17.04.150 Appeals.

30 A. Authority. Under authority of Wis. Stat. Ch. 68, the Eau Claire County Board of  
31 Land Use Appeals, created under Wis. Stat. § 59.694, and under 18.31.020 and acting as an  
32 appeal authority under Wis. Stat. § 59.694, is authorized to hear and decide appeals where it is  
33 alleged that there is error in any order, requirement, decision or determination by the land  
34 conservation division in administering this ordinance.

35 B. Procedure. The rules, procedures, duties and powers of the board of land use  
36 appeals and Wis. Stat. Ch. 68, shall apply to this ordinance.

37 C. Who May Appeal. Appeals may be taken by any person having a substantial  
38 interest which is adversely affected by the order, requirement, decision or determination made by  
39 the land conservation division.

40  
41  
42 SUBCHAPTER VI. DEFINITIONS

43  
44  
45 17.04.160 Purpose.

46 17.04.170 Word usage.

47 17.04.180 Definitions.



1           17.04.160 Purpose. To define words, terms, and phrases contained in this chapter that are  
2 essential to the understanding, administration, and enforcement of this chapter.

3  
4           17.04.170 Word usage. For the purposes of this chapter, certain words and terms are  
5 used as follows:

- 6           • Words used in the present tense include the future.
- 7           • Words in the singular include the plural.
- 8           • Words in the plural include the singular.
- 9           • The word “shall” is mandatory and not permissive.

10  
11           17.04.180 Definitions. For the purposes of this chapter, certain words and terms are  
12 defined as follows:

13           A.       “Adequate sod, or self-sustaining vegetative cover” means maintenance of  
14 sufficient vegetation types and densities that provide 70% coverage such that the physical  
15 integrity of the streambank or lakeshore is preserved. Self-sustaining vegetative cover includes  
16 grasses, forbs, sedges and duff layers of fallen leaves, and woody debris.

17           B.       “Applicant” means any person who applies for a permit under this ordinance.  
18 “BARNY” means the BARNY runoff prediction model which is the NRCS “Evaluation System  
19 to Rate Feedlot Pollution Potential,” ARM-NC-17 (April 1982 version with modifications as of  
20 August 2005. An Excel computer spreadsheet version of the BARNY model is available at  
21 <https://datcp.wi.gov/Documents/BARNYSpreadsheet.xls>.

22           C.       “Best management practices (BMPs)” mean structural or nonstructural measures,  
23 practices, techniques, or devices employed to avoid or minimize soil, sediment, or pollutants  
24 carried in runoff to waters of the state.

25           D.       “Direct conduit to groundwater” means wells, sinkholes, swallets, fractured  
26 bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater,  
27 quarries, cenotes, or depressional groundwater recharge areas over shallow fractured bedrock.

28           E.       “Direct runoff” means any of the following:

29               1.       Runoff of stored manure, including manure leachate, that discharges a  
30 significant amount of pollutants to surface waters of the state or to a direct conduit to ground  
31 water.

32               2.       Runoff from a feedlot that can be predicted to discharge a significant  
33 amount of pollutants to surface waters of the state or a direct conduit to groundwater.

34               3.       Discharge of a significant amount of leachate from stored manure to  
35 waters of the state.

36               4.       Construction of a manure storage facility in permeable soils or over  
37 fractured bedrock without a liner designed in accordance with Wis. Admin. Code § NR  
38 154.04(3).

39           F.       “Footprint of the liner” means the area measured in square feet located beneath  
40 the liner of the manure storage facility, including the waste transfer system.

41           G.       “Feedlot” means a barnyard, exercise area, or other outdoor area where livestock  
42 are concentrated for feeding or other purposes and self-sustaining vegetative cover is not  
43 maintained. “Feedlot” does not include a winter grazing area or a bare soil area such as a cattle  
44 lane or a supplemental feeding area located within a pasture, provided that the bare soil area is  
45 not a significant source of pollution to waters of the state as determined by the BARNY runoff  
46 prediction model or an equivalent predictive model for manure runoff utilized by the land  
47 conservation division.

48           H.       “Land application” means the physical transfer of manure from any animal  
49 confinement area or manure storage facility to fields for purposes of fertilization or disposal.



1 I. "Land Conservation Commission" means the Commission which is designated by  
2 the county board pursuant to Wis. Stat. § 92.06.

3 J. "Land Conservation Division" means the Eau Claire County Land Conservation  
4 Division of the Planning and Development Department.

5 K. "Landowner" means any of the following:

6 1. A person who owns a parcel of land.

7 2. A person who rents, controls, or uses a parcel of land for agricultural  
8 purposes.

9 L. "Livestock" means all domestic animals, including deer, elk, or any fenced-in  
10 animals.

11 M. "Livestock operation" means a feedlot or other facility or a pasture where animals  
12 are fed, confined, maintained, or stabled.

13 N. "Livestock producer" means an owner or operator of a livestock operation.

14 O. "Manure" means livestock excreta. "Manure" includes the following when  
15 intermingled with excreta in normal farming operations: debris including bedding, water, soil,  
16 hair, and feathers; processing derivatives including separated sand, separated manure solids,  
17 precipitated manure sludges, supernatants, digested liquids, composted biosolids, and process  
18 water; and runoff collected from barnyards, animal lots, and feed storage areas.

19 P. "Manure storage" means physically transferring manure from the livestock  
20 production area, feedlot, or place of origin to another location, manure storage facility, or  
21 unconfined manure pile. Manure storage does not include transferring manure for land  
22 application.

23 Q. "Manure storage facility" means an impoundment made by constructing an  
24 embankment or excavating a pit or dugout or by fabricating a structure to contain manure and  
25 other animal or agricultural waste.

26 R. "Natural Resources Conservation Service (NRCS)" means an agency of the  
27 United States Department of Agriculture (USDA) which, for purposes of this chapter, provides  
28 the Land Conservation Commission and the land conservation division with technical assistance  
29 and information on the design criteria, size, shape, engineering strength, and other necessary  
30 technical data for the proper and safe installation of a manure storage facility.

31 S. "Navigable waters" means any body of water that is navigable under the laws of  
32 the state as defined in Wis. Stat. § 30.01(4m).

33 T. "Nutrient management plan" means a plan that balances the nutrient needs of a  
34 crop with the nutrients available from legume crops, manure, fertilizer, or other sources. The  
35 requirements for a nutrient management plan are as established in Wis. Admin. Code § ATCP  
36 50.04(3).

37 U. "Nutrients" means plant nutrients derived from commercial fertilizers, manure,  
38 organic wastes, soil reserves, legumes, or other sources.

39 V. "Ordinary high-water mark" means the point on the bank or shore up to which the  
40 presence and action of surface water is so continuous as to leave a distinctive mark such as by  
41 erosion, destruction or prevention of terrestrial vegetation, or other easily recognized  
42 characteristic. Where the bank or shore at any particular place is of such character that it is  
43 difficult or impossible to ascertain where the point of ordinary high-water mark is, recourse may  
44 be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to  
45 determine whether a given stage of water is above or below the ordinary high-water mark.

46 W. "Pasture" means land on which livestock graze or otherwise seek feed in a  
47 manner that maintains the vegetative cover over the grazing area. Pasture may include limited  
48 areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas  
49 are not significant sources of pollution to waters of the state.



1 X. "Permit" means the signed, written statement issued by the land conservation  
2 division under this ordinance authorizing the applicant to construct, install, substantially alter,  
3 close, or reuse a manure storage facility, and to use or dispose of waste from the facility.

4 Y. "Permitted manure storage facility" means a facility that was permitted under this  
5 ordinance.

6 Z. "Permittee" means any person to whom a permit is issued under this ordinance.

7 AA. "Person" means any individual, owner, operator, corporation, limited liability  
8 company, partnership, association, municipality, interstate agency, state agency, or federal  
9 agency pursuant to Wis. Stat. § 283.01(11).

10 BB. "Phosphorus index" or "PI" means the State's agricultural land management  
11 planning tool for assessing the potential of a cropped or grazed field to contribute phosphorus to  
12 surface waters.

13 CC. "Pollutant" means any dredged, spoil, solid waste, incinerator residue, sewage,  
14 garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive  
15 substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial,  
16 municipal, and agricultural waste discharged into water as defined in Wis. Stat. § 283.01(13).

17 DD. "Pollution" includes contaminating or rendering unclean or impure the waters of  
18 the state, or making the same injurious to public health, harmful for commercial or recreational  
19 use, or deleterious to fish, bird, animal or plant life.

20 EE. "Process wastewater" means wastewater from the production area directly or  
21 indirectly used in the operation of animal feeding operation that results from any or all of the  
22 following:

23 1. Spillage or overflow from animal or poultry watering systems.  
24 2. Washing, cleaning, or flushing pens, barns, manure pits, or other animal  
25 feeding operation facilities.  
26 3. Direct contact swimming, washing, or spray cooling of animals or dust  
27 control.

28 4. Water that comes into contact with any raw materials or animal  
29 byproducts including manure, feed, milk, eggs, or bedding.

30 FF. "Recoverable benchmark" means a readily identifiable, relatively permanent  
31 benchmark that is intended to maintain its elevation without change over a long period of time  
32 and will not be influenced by disturbing activities.

33 GG. "Runoff" means storm water or precipitation including rain, snow, ice melt or  
34 similar water that moves on the land surface via sheet or channelized flow.

35 HH. "Safety devices" means constructed measures designed to protect humans and  
36 livestock from hazards associated with a manure storage facility.

37 II. "Site that is susceptible to groundwater contamination" under Wis. Stat. § 281.16  
38 (1) (g) means any one of the following:

39 1. An area within 250 feet of a private well.  
40 2. An area within 1000 feet of a municipal well.  
41 3. An area within 300 feet upslope or 100 feet downslope of a direct conduit  
42 to groundwater.  
43 4. A channel that flows to a direct conduit to groundwater.  
44 5. An area where the soil depth to groundwater or bedrock is less than 2 feet.  
45 6. An area where the soil does not exhibit one of the following soil

46 characteristics:

47 a. At least a 2-foot soil layer with 40% fines or greater above  
48 groundwater and bedrock.



1                   b.       At least a 3-foot soil layer with 20% fines or greater above  
2 groundwater and bedrock.

3                   c.       At least a 5-foot soil layer with 10% fines, or greater above  
4 groundwater and bedrock.

5           JJ.     “Stored manure” means manure that is kept in a manure storage facility or an  
6 unconfined manure pile.

7           KK.     “Substantially alter or significantly alter” means a change initiated by a  
8 landowner or operator that results in a relocation of a structure or facility or changes to the size,  
9 depth or configuration of a structure or facility including any of the following:

- 10           1.       Replacement of a liner of any type in a manure storage facility.
- 11           2.       An increase in the volumetric capacity or area of a manure storage facility.
- 12           3.       A change in a manure storage facility related to a change in livestock  
13 management from one species of livestock to another such as cattle to poultry.
- 14           4.       The addition of a new pipe penetration or waste transfer system that  
15 requires an alteration to the manure storage facility.

16           LL.     “Surface waters” means all natural and artificial named and unnamed lakes and all  
17 naturally flowing streams within the boundaries of the state, but not including cooling lakes,  
18 farm ponds and facilities constructed for the treatment of wastewaters.

19           MM.     “Tolerable soil loss” or “T” means the maximum average annual rate of soil  
20 erosion, in tons per year, allowable for particular soils and site conditions that will maintain soil  
21 productivity.

22           NN.     “Technical guide” means the United States Department of Agriculture (USDA)  
23 Natural Resources Conservation Service (NRCS) Technical Guide as adopted by the Land  
24 Conservation Commission, including subsequent amendments or additions.

25           OO.     “Top of the channel” means an edge or point on the landscape landward from the  
26 ordinary high-water mark of a surface water of the state, where the slope of the land begins to be  
27 less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually  
28 for the initial 50 feet landward from the ordinary high-water mark, the top of the channel is the  
29 ordinary high-water mark.

30           PP.     “Unconfined manure pile” means a quantity of manure that is at least 175 cubic  
31 feet in volume and which covers the ground surface to a depth of at least 2 inches and is not  
32 confined within a manure storage facility, livestock housing facility or barnyard runoff control  
33 facility or covered or contained in a manner that prevents storm water access and direct runoff to  
34 surface water or leaching of pollutants to groundwater.

35           QQ.     “Waste transfer system” means components such as pumps, pipes, conduits,  
36 valves, and other mechanisms installed to convey manure, leachate and contaminated runoff, and  
37 milking center wastes from livestock structures to a storage structure, loading area, or treatment  
38 area. Waste transfer system may include permanently installed conveyance systems necessary to  
39 transfer material from the source to a storage facility, treatment facility or system, loading area,  
40 or cropland, and does not include vehicles, temporary surface pipes or hoses.

41           RR.     “Water pollution” means any act or condition contaminating or rendering unclean  
42 or impure the ground or surface waters of the state, or making the same injurious to public  
43 health, harmful for commercial or recreational use, or deleterious to fish, bird, animal, or plant  
44 life.

45           SS.     “Water Quality Management Area (WQMA)” means land that includes any of the  
46 following: an area within 1,000 feet of the ordinary high-water mark of a navigable lake, pond,  
47 or flowage; an area within 300 feet of the high-water mark of a navigable river or stream; an area  
48 that is susceptible to groundwater contamination, or has the potential to be a direct conduit for  
49 contamination to reach groundwater.

1 TT. "Waters of the state" mean those portions of Lake Michigan and Lake Superior  
2 within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells,  
3 impounding reservoirs, marshes, water courses, drainage systems and other surface water or  
4 groundwater, natural or artificial, public or private within the state or under its jurisdiction,  
5 except those waters which are entirely confined and retained completely upon the property of a  
6 person.

7 UU. "Winter grazing area" means a cropland or pasture where livestock feed on  
8 dormant vegetation or crop residue, with or without supplementary feed, during the period of  
9 October 1 to April 30.

10 SECTION 3. This ordinance is effective upon adoption.

11 ENACTED:

12  
13 *Gary G...*  
14 \_\_\_\_\_  
15 *James O'Rourke*  
16 \_\_\_\_\_  
17 *Joseph Fugitt*  
18 \_\_\_\_\_  
19 *Robin J. Leary*  
20 \_\_\_\_\_  
21 \_\_\_\_\_

22  
23 Committee on Planning & Development

24 *Robin J. Leary*  
25 \_\_\_\_\_  
26 *Gary G...*  
27 \_\_\_\_\_  
28 *Henke D. L...*  
29 \_\_\_\_\_  
30 *Tom M. C...*  
31 \_\_\_\_\_  
32 *Rich D. Trauch*  
33 \_\_\_\_\_  
34 *Ray L. Henry*  
35 \_\_\_\_\_  
36 *Gloria Adams*  
37 \_\_\_\_\_

38  
39 Land Conservation Commission

40 GL/yk

41  
42 Dated this 14<sup>th</sup> day of May, 2019.

43 ORDINANCE/19-20/012

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

Reviewed by Finance Dept.  
for Fiscal Impact



TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Committee on Finance & Budget

Amendment to File No. 19-20/012

**ANALYSIS**

The Committee on Finance & Budget has reviewed the proposed amendment to the proposed ordinance 19-20/012 "To Amend Section 4.35.165 B. of the code: Land Conservation fees; to Repeal and Recreate Chapter 17.04 of the Code."

**RECOMMENDATION**

BE IT RESOLVED by the Eau Claire County Board of Supervisors that the amendment to File No. 19-20/012 be and is hereby adopted.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on June 10, 2019 by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against.

---

Stella Pagonis, Chair  
Committee on Finance & Budget

AW

ORDINANCE\Rept.19-20/012

**EAU CLAIRE COUNTY BOARD OF SUPERVISORS**

**AMENDMENT NO. 1**

**TO FILE NO. 19-20/012**

**AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:**

1. On page 13, line 18, insert "C." before "BARNY" and reletter all remaining definitions as follows:

~~CD.~~ "Best management practices (BMPs)" mean structural or nonstructural measures, practices, techniques, or devices employed to avoid or minimize soil, sediment, or pollutants carried in runoff to waters of the state.

~~DE.~~ "Direct conduit to groundwater" means wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater, quarries, cenotes, or depressional groundwater recharge areas over shallow fractured bedrock.

~~EF.~~ "Direct runoff" means any of the following:

1. Runoff of stored manure, including manure leachate, that discharges a significant amount of pollutants to surface waters of the state or to a direct conduit to ground water.

2. Runoff from a feedlot that can be predicted to discharge a significant amount of pollutants to surface waters of the state or a direct conduit to groundwater.

3. Discharge of a significant amount of leachate from stored manure to waters of the state.

4. Construction of a manure storage facility in permeable soils or over fractured bedrock without a liner designed in accordance with Wis. Admin. Code § NR 154.04(3).

~~FG.~~ "Footprint of the liner" means the area measured in square feet located beneath the liner of the manure storage facility, including the waste transfer system.

~~GH.~~ "Feedlot" means a barnyard, exercise area, or other outdoor area where livestock are concentrated for feeding or other purposes and self-sustaining vegetative cover is not maintained. "Feedlot" does not include a winter grazing area or a bare soil area such as a cattle lane or a supplemental feeding area located within a pasture, provided that the bare soil area is not a significant source of pollution to waters of the state as determined by the BARNY runoff prediction model or an equivalent predictive model for manure runoff utilized by the land conservation division.

~~HI.~~ "Land application" means the physical transfer of manure from any animal confinement area or manure storage facility to fields for purposes of fertilization or disposal.

~~IJ.~~ "Land Conservation Commission" means the Commission which is designated by the county board pursuant to Wis. Stat. § 92.06.

~~JK.~~ "Land Conservation Division" means the Eau Claire County Land Conservation Division of the Planning and Development Department.

~~KL.~~ "Landowner" means any of the following:

1. A person who owns a parcel of land.



2. A person who rents, controls, or uses a parcel of land for agricultural purposes.

L.M. “Livestock” means all domestic animals, including deer, elk, or any fenced-in animals.

M.N. “Livestock operation” means a feedlot or other facility or a pasture where animals are fed, confined, maintained, or stabled.

N.O. “Livestock producer” means an owner or operator of a livestock operation.

O.P. “Manure” means livestock excreta. “Manure” includes the following when intermingled with excreta in normal farming operations: debris including bedding, water, soil, hair, and feathers; processing derivatives including separated sand, separated manure solids, precipitated manure sludges, supernatants, digested liquids, composted biosolids, and process water; and runoff collected from barnyards, animal lots, and feed storage areas.

P.Q. “Manure storage” means physically transferring manure from the livestock production area, feedlot, or place of origin to another location, manure storage facility, or unconfined manure pile. Manure storage does not include transferring manure for land application.

Q.R. “Manure storage facility” means an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure and other animal or agricultural waste.

R.S. “Natural Resources Conservation Service (NRCS)” means an agency of the United States Department of Agriculture (USDA) which, for purposes of this chapter, provides the Land Conservation Commission and the land conservation division with technical assistance and information on the design criteria, size, shape, engineering strength, and other necessary technical data for the proper and safe installation of a manure storage facility.

S.T. “Navigable waters” means any body of water that is navigable under the laws of the state as defined in Wis. Stat. § 30.01(4m).

T.U. “Nutrient management plan” means a plan that balances the nutrient needs of a crop with the nutrients available from legume crops, manure, fertilizer, or other sources. The requirements for a nutrient management plan are as established in Wis. Admin. Code § ATCP 50.04(3).

U.V. “Nutrients” means plant nutrients derived from commercial fertilizers, manure, organic wastes, soil reserves, legumes, or other sources.

V.W. “Ordinary high-water mark” means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water mark is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high-water mark.

W.X. “Pasture” means land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over the grazing area. Pasture may include limited areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas are not significant sources of pollution to waters of the state.

X.Y. “Permit” means the signed, written statement issued by the land conservation division under this ordinance authorizing the applicant to construct, install, substantially alter, close, or reuse a manure storage facility, and to use or dispose of waste from the facility.



YZ. “Permitted manure storage facility” means a facility that was permitted under this ordinance.

ZAA. “Permittee” means any person to whom a permit is issued under this ordinance.

AABB. “Person” means any individual, owner, operator, corporation, limited liability company, partnership, association, municipality, interstate agency, state agency, or federal agency pursuant to Wis. Stat. § 283.01(11).

BBCC. “Phosphorus index” or “PI” means the State’s agricultural land management planning tool for assessing the potential of a cropped or grazed field to contribute phosphorus to surface waters.

CCDD. “Pollutant” means any dredged, spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water as defined in Wis. Stat. § 283.01(13).

DD EE. “Pollution” includes contaminating or rendering unclean or impure the waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal or plant life.

EEFF. “Process wastewater” means wastewater from the production area directly or indirectly used in the operation of animal feeding operation that results from any or all of the following:

1. Spillage or overflow from animal or poultry watering systems.
2. Washing, cleaning, or flushing pens, barns, manure pits, or other animal feeding operation facilities.
3. Direct contact swimming, washing, or spray cooling of animals or dust control.
4. Water that comes into contact with any raw materials or animal byproducts including manure, feed, milk, eggs, or bedding.

FFGG. “Recoverable benchmark” means a readily identifiable, relatively permanent benchmark that is intended to maintain its elevation without change over a long period of time and will not be influenced by disturbing activities.

GGHH. “Runoff” means storm water or precipitation including rain, snow, ice melt or similar water that moves on the land surface via sheet or channelized flow.

HHII. “Safety devices” means constructed measures designed to protect humans and livestock from hazards associated with a manure storage facility.

HJJ. “Site that is susceptible to groundwater contamination” under Wis. Stat. [§ 281.16 \(1\) \(g\)](#) means any one of the following:

1. An area within 250 feet of a private well.
2. An area within 1000 feet of a municipal well.
3. An area within 300 feet upslope or 100 feet downslope of a direct conduit to groundwater.
4. A channel that flows to a direct conduit to groundwater.
5. An area where the soil depth to groundwater or bedrock is less than 2 feet.
6. An area where the soil does not exhibit one of the following soil characteristics:

- a. At least a 2-foot soil layer with 40% fines or greater above groundwater and bedrock.

b. At least a 3-foot soil layer with 20% fines or greater above groundwater and bedrock.

c. At least a 5-foot soil layer with 10% fines, or greater above groundwater and bedrock.

JJKK. "Stored manure" means manure that is kept in a manure storage facility or an unconfined manure pile.

KKLL. "Substantially alter or significantly alter" means a change initiated by a landowner or operator that results in a relocation of a structure or facility or changes to the size, depth or configuration of a structure or facility including any of the following:

1. Replacement of a liner of any type in a manure storage facility.
2. An increase in the volumetric capacity or area of a manure storage facility.
3. A change in a manure storage facility related to a change in livestock management from one species of livestock to another such as cattle to poultry.
4. The addition of a new pipe penetration or waste transfer system that requires an alteration to the manure storage facility.

LLMM. "Surface waters" means all natural and artificial named and unnamed lakes and all naturally flowing streams within the boundaries of the state, but not including cooling lakes, farm ponds and facilities constructed for the treatment of wastewaters.

MMNN. "Tolerable soil loss" or "T" means the maximum average annual rate of soil erosion, in tons per year, allowable for particular soils and site conditions that will maintain soil productivity.

NNOO. "Technical guide" means the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Technical Guide as adopted by the Land Conservation Commission, including subsequent amendments or additions.

OOPP. "Top of the channel" means an edge or point on the landscape landward from the ordinary high-water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet landward from the ordinary high-water mark, the top of the channel is the ordinary high-water mark.

PPQQ. "Unconfined manure pile" means a quantity of manure that is at least 175 cubic feet in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility, livestock housing facility or barnyard runoff control facility or covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.

QQRR. "Waste transfer system" means components such as pumps, pipes, conduits, valves, and other mechanisms installed to convey manure, leachate and contaminated runoff, and milking center wastes from livestock structures to a storage structure, loading area, or treatment area. Waste transfer system may include permanently installed conveyance systems necessary to transfer material from the source to a storage facility, treatment facility or system, loading area, or cropland, and does not include vehicles, temporary surface pipes or hoses.

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or flowage; an area within 300 feet of the high-water mark of a navigable river or stream; an area that is susceptible to groundwater contamination, or has the potential to be a direct conduit for contamination to reach groundwater.

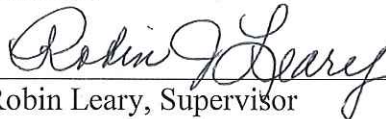
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UUVV. "Winter grazing area" means a cropland or pasture where livestock feed on dormant vegetation or crop residue, with or without supplementary feed, during the period of October 1 to April 30.

OFFERED BY:



Gary Gibson, Supervisor  
District 1



Robin Leary, Supervisor  
District 23

GL/yk

Ordinance/19-20/012 Amendment 1

**Reviewed by Finance Dept  
for Fiscal Impact**

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*Eau Claire County Board of Supervisors*

721 Oxford Avenue, Room 3520

Eau Claire, WI 54703

Phone: 715-839-5106

Fax: 715-839-6243



TO: Eau Claire County Board of Supervisors  
FROM: Nick Smiar, Chair  
RE: Appointment of Members to Various Boards, Commissions and Councils  
DATE: June 18, 2019

I certify that the named citizen representatives below have been selected for appointment as follows:

**Board of Land Use Appeals**

Karen Meier – Tomesh to succeed herself

**TERM EXPIRES**

June 2022

***Our Mission***

*To provide quality, innovative, and cost effective services that safeguard and enhance the well-being of residents and resources.*